

FIRST REGULAR SESSION

HOUSE BILL NO. 701

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HINSON.

1731L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 195.202 and 579.015, RSMo, and sections 195.010 and 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 195.202 and 579.015, RSMo, and sections 195.010 and 195.017 as
2 enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and
3 section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular
4 session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first
5 regular session are repealed and seven new sections enacted in lieu thereof, to be known as
6 sections 195.010, 195.017, 195.202, 195.600, 195.603, 195.606, and 579.015, to read as follows:

195.010. The following words and phrases as used in this chapter and chapter 579,
2 unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled substances to such an
4 extent as to create a tolerance for such drugs, and who does not have a medical need for such
5 drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control
6 with reference to his or her addiction;

7 (2) "Administer", to apply a controlled substance, whether by injection, inhalation,
8 ingestion, or any other means, directly to the body of a patient or research subject by:

9 (a) A practitioner (or, in his or her presence, by his or her authorized agent); or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 10 (b) The patient or research subject at the direction and in the presence of the practitioner;
- 11 (3) "Agent", an authorized person who acts on behalf of or at the direction of a
12 manufacturer, distributor, or dispenser. The term does not include a common or contract carrier,
13 public warehouseman, or employee of the carrier or warehouseman while acting in the usual and
14 lawful course of the carrier's or warehouseman's business;
- 15 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general
16 authorized to investigate, commence and prosecute an action under this chapter;
- 17 (5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I
18 through V listed in this chapter;
- 19 (6) "Controlled substance analogue", a substance the chemical structure of which is
20 substantially similar to the chemical structure of a controlled substance in Schedule I or II and:
21 (a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous
22 system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central
23 nervous system of a controlled substance included in Schedule I or II; or
24 (b) With respect to a particular individual, which that individual represents or intends
25 to have a stimulant, depressant, or hallucinogenic effect on the central nervous system
26 substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous
27 system of a controlled substance included in Schedule I or II. The term does not include a
28 controlled substance; any substance for which there is an approved new drug application; any
29 substance for which an exemption is in effect for investigational use, for a particular person,
30 under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. Section 355) to the
31 extent conduct with respect to the substance is pursuant to the exemption; or any substance to
32 the extent not intended for human consumption before such an exemption takes effect with
33 respect to the substance;
- 34 (7) "Counterfeit substance", a controlled substance which, or the container or labeling
35 of which, without authorization, bears the trademark, trade name, or other identifying mark,
36 imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser
37 other than the person who in fact manufactured, distributed, or dispensed the substance;
- 38 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one
39 person to another of drug paraphernalia or of a controlled substance, or an imitation controlled
40 substance, whether or not there is an agency relationship, and includes a sale;
- 41 (9) "Dentist", a person authorized by law to practice dentistry in this state;
- 42 (10) "Depressant or stimulant substance":
43 (a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid
44 or any derivative of barbituric acid which has been designated by the United States Secretary of
45 Health and Human Services as habit forming under 21 U.S.C. Section 352(d);

- 46 (b) A drug containing any quantity of:
47 a. Amphetamine or any of its isomers;
48 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or
49 c. Any substance the United States Attorney General, after investigation, has found to
50 be, and by regulation designated as, habit forming because of its stimulant effect on the central
51 nervous system;
- 52 (c) Lysergic acid diethylamide; or
53 (d) Any drug containing any quantity of a substance that the United States Attorney
54 General, after investigation, has found to have, and by regulation designated as having, a
55 potential for abuse because of its depressant or stimulant effect on the central nervous system or
56 its hallucinogenic effect;
- 57 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user
58 or research subject by or pursuant to the lawful order of a practitioner including the prescribing,
59 administering, packaging, labeling, or compounding necessary to prepare the substance for such
60 delivery. "Dispenser" means a practitioner who dispenses;
- 61 (12) "Distribute", to deliver other than by administering or dispensing a controlled
62 substance;
- 63 (13) "Distributor", a person who distributes;
64 (14) "Drug":
65 (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official
66 Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any
67 supplement to any of them;
- 68 (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or
69 prevention of disease in humans or animals;
- 70 (c) Substances, other than food, intended to affect the structure or any function of the
71 body of humans or animals; and
72 (d) Substances intended for use as a component of any article specified in this
73 subdivision. It does not include devices or their components, parts or accessories;
- 74 (15) "Drug-dependent person", a person who is using a controlled substance and who
75 is in a state of psychic or physical dependence, or both, arising from the use of such substance
76 on a continuous basis. Drug dependence is characterized by behavioral and other responses
77 which include a strong compulsion to take the substance on a continuous basis in order to
78 experience its psychic effects or to avoid the discomfort caused by its absence;
- 79 (16) "Drug enforcement agency", the Drug Enforcement Administration in the United
80 States Department of Justice, or its successor agency;

81 (17) "Drug paraphernalia", all equipment, products, substances and materials of any kind
82 which are used, intended for use, or designed for use, in planting, propagating, cultivating,
83 growing, harvesting, manufacturing, compounding, converting, producing, processing,
84 preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing
85 into the human body a controlled substance or an imitation controlled substance in violation of
86 this chapter or chapter 579. It includes, but is not limited to:

87 (a) Kits used, intended for use, or designed for use in planting, propagating, cultivating,
88 growing or harvesting of any species of plant which is a controlled substance or from which a
89 controlled substance can be derived;

90 (b) Kits used, intended for use, or designed for use in manufacturing, compounding,
91 converting, producing, processing, or preparing controlled substances or imitation controlled
92 substances;

93 (c) Isomerization devices used, intended for use, or designed for use in increasing the
94 potency of any species of plant which is a controlled substance or an imitation controlled
95 substance;

96 (d) Testing equipment used, intended for use, or designed for use in identifying, or in
97 analyzing the strength, effectiveness or purity of controlled substances or imitation controlled
98 substances;

99 (e) Scales and balances used, intended for use, or designed for use in weighing or
100 measuring controlled substances or imitation controlled substances;

101 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose
102 and lactose, used, intended for use, or designed for use in cutting controlled substances or
103 imitation controlled substances;

104 (g) Separation gins and sifters used, intended for use, or designed for use in removing
105 twigs and seeds from, or in otherwise cleaning or refining, marijuana;

106 (h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or
107 designed for use in compounding controlled substances or imitation controlled substances;

108 (i) Capsules, balloons, envelopes and other containers used, intended for use, or designed
109 for use in packaging small quantities of controlled substances or imitation controlled substances;

110 (j) Containers and other objects used, intended for use, or designed for use in storing or
111 concealing controlled substances or imitation controlled substances;

112 (k) Hypodermic syringes, needles and other objects used, intended for use, or designed
113 for use in parenterally injecting controlled substances or imitation controlled substances into the
114 human body;

115 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise
116 introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

- 117 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens,
118 permanent screens, hashish heads, or punctured metal bowls;
- 119 b. Water pipes;
- 120 c. Carburetion tubes and devices;
- 121 d. Smoking and carburetion masks;
- 122 e. Roach clips meaning objects used to hold burning material, such as a marijuana
123 cigarette, that has become too small or too short to be held in the hand;
- 124 f. Miniature cocaine spoons and cocaine vials;
- 125 g. Chamber pipes;
- 126 h. Carburetor pipes;
- 127 i. Electric pipes;
- 128 j. Air-driven pipes;
- 129 k. Chillums;
- 130 l. Bongs;
- 131 m. Ice pipes or chillers;
- 132 (m) Substances used, intended for use, or designed for use in the manufacture of a
133 controlled substance;
- 134
- 135 In determining whether an object, product, substance or material is drug paraphernalia, a court
136 or other authority should consider, in addition to all other logically relevant factors, the
137 following:
- 138 a. Statements by an owner or by anyone in control of the object concerning its use;
- 139 b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any
140 state or federal law relating to any controlled substance or imitation controlled substance;
- 141 c. The proximity of the object, in time and space, to a direct violation of this chapter or
142 chapter 579;
- 143 d. The proximity of the object to controlled substances or imitation controlled
144 substances;
- 145 e. The existence of any residue of controlled substances or imitation controlled
146 substances on the object;
- 147 f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of
148 the object, to deliver it to persons who he or she knows, or should reasonably know, intend to
149 use the object to facilitate a violation of this chapter or chapter 579; the innocence of an owner,
150 or of anyone in control of the object, as to direct violation of this chapter or chapter 579 shall not
151 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 152 g. Instructions, oral or written, provided with the object concerning its use;

- 153 h. Descriptive materials accompanying the object which explain or depict its use;
154 i. National or local advertising concerning its use;
155 j. The manner in which the object is displayed for sale;
156 k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like
157 or related items to the community, such as a licensed distributor or dealer of tobacco products;
158 l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of
159 the business enterprise;
160 m. The existence and scope of legitimate uses for the object in the community;
161 n. Expert testimony concerning its use;
162 o. The quantity, form or packaging of the product, substance or material in relation to
163 the quantity, form or packaging associated with any legitimate use for the product, substance or
164 material;
- 165 (18) "Federal narcotic laws", the laws of the United States relating to controlled
166 substances;
- 167 (19) "Hospital", a place devoted primarily to the maintenance and operation of facilities
168 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or
169 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal
170 physical conditions; or a place devoted primarily to provide, for not less than twenty-four
171 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.
172 The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined
173 in chapter 198;
- 174 (20) "Immediate precursor", a substance which:
- 175 (a) The state department of health and senior services has found to be and by rule
176 designates as being the principal compound commonly used or produced primarily for use in the
177 manufacture of a controlled substance;
- 178 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture
179 of a controlled substance; and
- 180 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the
181 controlled substance;
- 182 (21) "Imitation controlled substance", a substance that is not a controlled substance,
183 which by dosage unit appearance (including color, shape, size and markings), or by
184 representations made, would lead a reasonable person to believe that the substance is a controlled
185 substance. In determining whether the substance is an imitation controlled substance the court
186 or authority concerned should consider, in addition to all other logically relevant factors, the
187 following:

188 (a) Whether the substance was approved by the federal Food and Drug Administration
189 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and
190 Drug Administration approved package, with the federal Food and Drug Administration
191 approved labeling information;

192 (b) Statements made by an owner or by anyone else in control of the substance
193 concerning the nature of the substance, or its use or effect;

194 (c) Whether the substance is packaged in a manner normally used for illicit controlled
195 substances;

196 (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state
197 or federal law related to controlled substances or fraud;

198 (e) The proximity of the substances to controlled substances;

199 (f) Whether the consideration tendered in exchange for the noncontrolled substance
200 substantially exceeds the reasonable value of the substance considering the actual chemical
201 composition of the substance and, where applicable, the price at which over-the-counter
202 substances of like chemical composition sell. An imitation controlled substance does not include
203 a placebo or registered investigational drug either of which was manufactured, distributed,
204 possessed or delivered in the ordinary course of professional practice or research;

205 (22) **"Industrial hemp":**

206 (a) **All nonseed parts and varieties of the cannabis sativa plant, growing or not, that**
207 **contain a cropwide average tetrahydrocannabinol (THC) concentration that does not**
208 **exceed three-tenths of one percent on a dry weight basis; or**

209 (b) **Any cannabis sativa seed that is part of a growing crop, retained by a grower**
210 **for future planting, or used for processing into or use as agricultural hemp seed.**

211

212 **Industrial hemp does not include industrial hemp commodities and products;**

213 (23) "Laboratory", a laboratory approved by the department of health and senior services
214 as proper to be entrusted with the custody of controlled substances but does not include a
215 pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

216 [(23)] (24) "Manufacture", the production, preparation, propagation, compounding or
217 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
218 substance, either directly or by extraction from substances of natural origin, or independently by
219 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
220 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
221 This term does not include the preparation or compounding of a controlled substance or an
222 imitation controlled substance or the preparation, compounding, packaging or labeling of a
223 narcotic or dangerous drug:

224 (a) By a practitioner as an incident to his or her administering or dispensing of a
225 controlled substance or an imitation controlled substance in the course of his or her professional
226 practice, or

227 (b) By a practitioner or his or her authorized agent under his or her supervision, for the
228 purpose of, or as an incident to, research, teaching or chemical analysis and not for sale;

229 [(24)] (25) "Marijuana", all parts of the plant genus Cannabis in any species or form
230 thereof, including, but not limited to Cannabis Sativa L., **except industrial hemp as defined in**
231 **this section**, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea,
232 whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and
233 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or
234 resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or
235 cake made from the seeds of the plant, any other compound, manufacture, salt, derivative,
236 mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or
237 cake, or the sterilized seed of the plant which is incapable of germination;

238 [(25)] (26) "Methamphetamine precursor drug", any drug containing ephedrine,
239 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
240 isomers;

241 [(26)] (27) "Narcotic drug", any of the following, whether produced directly or indirectly
242 by extraction from substances of vegetable origin, or independently by means of chemical
243 synthesis, or by a combination of extraction and chemical analysis:

244 (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters,
245 ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers,
246 esters, ethers, and salts is possible within the specific chemical designation. The term does not
247 include the isoquinoline alkaloids of opium;

248 (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine,
249 and derivatives of ecgonine or their salts have been removed;

250 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

251 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

252 (e) Any compound, mixture, or preparation containing any quantity of any substance
253 referred to in paragraphs (a) to (d) of this subdivision;

254 [(27)] (28) "Official written order", an order written on a form provided for that purpose
255 by the United States Commissioner of Narcotics, under any laws of the United States making
256 provision therefor, if such order forms are authorized and required by federal law, and if no such
257 order form is provided, then on an official form provided for that purpose by the department of
258 health and senior services;

259 [(28)] (29) "Opiate", any substance having an addiction-forming or addiction-sustaining
260 liability similar to morphine or being capable of conversion into a drug having addiction-forming
261 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does
262 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of
263 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

264 [(29)] (30) "Opium poppy", the plant of the species *Papaver somniferum* L., except its
265 seeds;

266 [(30)] (31) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a
267 drug other than a controlled substance;

268 [(31)] (32) "Person", an individual, corporation, government or governmental
269 subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any
270 other legal or commercial entity;

271 [(32)] (33) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and
272 where the context so requires, the owner of a store or other place of business where controlled
273 substances are compounded or dispensed by a licensed pharmacist; but nothing in this chapter
274 shall be construed as conferring on a person who is not registered nor licensed as a pharmacist
275 any authority, right or privilege that is not granted to him by the pharmacy laws of this state;

276 [(33)] (34) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

277 [(34)] (35) "Possessed" or "possessing a controlled substance", a person, with the
278 knowledge of the presence and nature of a substance, has actual or constructive possession of
279 the substance. A person has actual possession if he has the substance on his or her person or
280 within easy reach and convenient control. A person who, although not in actual possession, has
281 the power and the intention at a given time to exercise dominion or control over the substance
282 either directly or through another person or persons is in constructive possession of it.
283 Possession may also be sole or joint. If one person alone has possession of a substance
284 possession is sole. If two or more persons share possession of a substance, possession is joint;

285 [(35)] (36) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian,
286 scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise
287 permitted by this state to distribute, dispense, conduct research with respect to or administer or
288 to use in teaching or chemical analysis, a controlled substance in the course of professional
289 practice or research in this state, or a pharmacy, hospital or other institution licensed, registered,
290 or otherwise permitted to distribute, dispense, conduct research with respect to or administer a
291 controlled substance in the course of professional practice or research;

292 [(36)] (37) "Production", includes the manufacture, planting, cultivation, growing, or
293 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
294 substance;

295 [(37)] **(38)** "Registry number", the number assigned to each person registered under the
296 federal controlled substances laws;

297 [(38)] **(39)** "Sale", includes barter, exchange, or gift, or offer therefor, and each such
298 transaction made by any person, whether as principal, proprietor, agent, servant or employee;

299 [(39)] **(40)** "State" when applied to a part of the United States, includes any state, district,
300 commonwealth, territory, insular possession thereof, and any area subject to the legal authority
301 of the United States of America;

302 [(40)] **(41)** "Synthetic cannabinoid", includes unless specifically excepted or unless listed
303 in another schedule, any natural or synthetic material, compound, mixture, or preparation that
304 contains any quantity of a substance that is a cannabinoid receptor agonist, including but not
305 limited to any substance listed in paragraph (II) of subdivision (4) of subsection 2 of section
306 195.017 and any analogues; homologues; isomers, whether optical, positional, or geometric;
307 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the
308 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it
309 shall not include any approved pharmaceutical authorized by the United States Food and Drug
310 Administration;

311 [(41)] **(42)** "Ultimate user", a person who lawfully possesses a controlled substance or
312 an imitation controlled substance for his or her own use or for the use of a member of his or her
313 household or immediate family, regardless of whether they live in the same household, or for
314 administering to an animal owned by him **or her** or by a member of his or her household. For
315 purposes of this section, the phrase "immediate family" means a husband, wife, parent, child,
316 sibling, stepparent, stepchild, stepbrother, stepsister, grandparent, or grandchild;

317 [(42)] **(43)** "Wholesaler", a person who supplies drug paraphernalia or controlled
318 substances or imitation controlled substances that he **or she** himself **or herself** has not produced
319 or prepared, on official written orders, but not on prescriptions.

 195.010. The following words and phrases as used in sections 195.005 to 195.425,
2 unless the context otherwise requires, mean:

3 (1) "Addict", a person who habitually uses one or more controlled substances to such an
4 extent as to create a tolerance for such drugs, and who does not have a medical need for such
5 drugs, or who is so far addicted to the use of such drugs as to have lost the power of self-control
6 with reference to his addiction;

7 (2) "Administer", to apply a controlled substance, whether by injection, inhalation,
8 ingestion, or any other means, directly to the body of a patient or research subject by:

9 (a) A practitioner (or, in his presence, by his authorized agent); or

10 (b) The patient or research subject at the direction and in the presence of the practitioner;

11 (3) "Agent", an authorized person who acts on behalf of or at the direction of a
12 manufacturer, distributor, or dispenser. The term does not include a common or contract carrier,
13 public warehouseman, or employee of the carrier or warehouseman while acting in the usual and
14 lawful course of the carrier's or warehouseman's business;

15 (4) "Attorney for the state", any prosecuting attorney, circuit attorney, or attorney general
16 authorized to investigate, commence and prosecute an action under sections 195.005 to 195.425;

17 (5) "Controlled substance", a drug, substance, or immediate precursor in Schedules I
18 through V listed in sections 195.005 to 195.425;

19 (6) "Controlled substance analogue", a substance the chemical structure of which is
20 substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

21 (a) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous
22 system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central
23 nervous system of a controlled substance included in Schedule I or II; or

24 (b) With respect to a particular individual, which that individual represents or intends
25 to have a stimulant, depressant, or hallucinogenic effect on the central nervous system
26 substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous
27 system of a controlled substance included in Schedule I or II. The term does not include a
28 controlled substance; any substance for which there is an approved new drug application; any
29 substance for which an exemption is in effect for investigational use, for a particular person,
30 under Section 505 of the federal Food, Drug and Cosmetic Act (21 U.S.C. 355) to the extent
31 conduct with respect to the substance is pursuant to the exemption; or any substance to the extent
32 not intended for human consumption before such an exemption takes effect with respect to the
33 substance;

34 (7) "Counterfeit substance", a controlled substance which, or the container or labeling
35 of which, without authorization, bears the trademark, trade name, or other identifying mark,
36 imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser
37 other than the person who in fact manufactured, distributed, or dispensed the substance;

38 (8) "Deliver" or "delivery", the actual, constructive, or attempted transfer from one
39 person to another of drug paraphernalia or of a controlled substance, or an imitation controlled
40 substance, whether or not there is an agency relationship, and includes a sale;

41 (9) "Dentist", a person authorized by law to practice dentistry in this state;

42 (10) "Depressant or stimulant substance":

43 (a) A drug containing any quantity of barbituric acid or any of the salts of barbituric acid
44 or any derivative of barbituric acid which has been designated by the United States Secretary of
45 Health and Human Services as habit forming under 21 U.S.C. 352(d);

46 (b) A drug containing any quantity of:

- 47 a. Amphetamine or any of its isomers;
- 48 b. Any salt of amphetamine or any salt of an isomer of amphetamine; or
- 49 c. Any substance the United States Attorney General, after investigation, has found to
- 50 be, and by regulation designated as, habit forming because of its stimulant effect on the central
- 51 nervous system;
- 52 (c) Lysergic acid diethylamide; or
- 53 (d) Any drug containing any quantity of a substance that the United States Attorney
- 54 General, after investigation, has found to have, and by regulation designated as having, a
- 55 potential for abuse because of its depressant or stimulant effect on the central nervous system or
- 56 its hallucinogenic effect;
- 57 (11) "Dispense", to deliver a narcotic or controlled dangerous drug to an ultimate user
- 58 or research subject by or pursuant to the lawful order of a practitioner including the prescribing,
- 59 administering, packaging, labeling, or compounding necessary to prepare the substance for such
- 60 delivery. "Dispenser" means a practitioner who dispenses;
- 61 (12) "Distribute", to deliver other than by administering or dispensing a controlled
- 62 substance;
- 63 (13) "Distributor", a person who distributes;
- 64 (14) "Drug":
- 65 (a) Substances recognized as drugs in the official United States Pharmacopoeia, Official
- 66 Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any
- 67 supplement to any of them;
- 68 (b) Substances intended for use in the diagnosis, cure, mitigation, treatment or
- 69 prevention of disease in humans or animals;
- 70 (c) Substances, other than food, intended to affect the structure or any function of the
- 71 body of humans or animals; and
- 72 (d) Substances intended for use as a component of any article specified in this
- 73 subdivision. It does not include devices or their components, parts or accessories;
- 74 (15) "Drug-dependent person", a person who is using a controlled substance and who
- 75 is in a state of psychic or physical dependence, or both, arising from the use of such substance
- 76 on a continuous basis. Drug dependence is characterized by behavioral and other responses
- 77 which include a strong compulsion to take the substance on a continuous basis in order to
- 78 experience its psychic effects or to avoid the discomfort caused by its absence;
- 79 (16) "Drug enforcement agency", the Drug Enforcement Administration in the United
- 80 States Department of Justice, or its successor agency;
- 81 (17) "Drug paraphernalia", all equipment, products, substances and materials of any kind
- 82 which are used, intended for use, or designed for use, in planting, propagating, cultivating,

83 growing, harvesting, manufacturing, compounding, converting, producing, processing,
84 preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing
85 into the human body a controlled substance or an imitation controlled substance in violation of
86 sections 195.005 to 195.425. It includes, but is not limited to:

87 (a) Kits used, intended for use, or designed for use in planting, propagating, cultivating,
88 growing or harvesting of any species of plant which is a controlled substance or from which a
89 controlled substance can be derived;

90 (b) Kits used, intended for use, or designed for use in manufacturing, compounding,
91 converting, producing, processing, or preparing controlled substances or imitation controlled
92 substances;

93 (c) Isomerization devices used, intended for use, or designed for use in increasing the
94 potency of any species of plant which is a controlled substance or an imitation controlled
95 substance;

96 (d) Testing equipment used, intended for use, or designed for use in identifying, or in
97 analyzing the strength, effectiveness or purity of controlled substances or imitation controlled
98 substances;

99 (e) Scales and balances used, intended for use, or designed for use in weighing or
100 measuring controlled substances or imitation controlled substances;

101 (f) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose
102 and lactose, used, intended for use, or designed for use in cutting controlled substances or
103 imitation controlled substances;

104 (g) Separation gins and sifters used, intended for use, or designed for use in removing
105 twigs and seeds from, or in otherwise cleaning or refining, marijuana;

106 (h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or
107 designed for use in compounding controlled substances or imitation controlled substances;

108 (i) Capsules, balloons, envelopes and other containers used, intended for use, or designed
109 for use in packaging small quantities of controlled substances or imitation controlled substances;

110 (j) Containers and other objects used, intended for use, or designed for use in storing or
111 concealing controlled substances or imitation controlled substances;

112 (k) Hypodermic syringes, needles and other objects used, intended for use, or designed
113 for use in parenterally injecting controlled substances or imitation controlled substances into the
114 human body;

115 (l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise
116 introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

117 a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens,
118 permanent screens, hashish heads, or punctured metal bowls;

- 119 b. Water pipes;
- 120 c. Carburetion tubes and devices;
- 121 d. Smoking and carburetion masks;
- 122 e. Roach clips meaning objects used to hold burning material, such as a marijuana
123 cigarette, that has become too small or too short to be held in the hand;
- 124 f. Miniature cocaine spoons and cocaine vials;
- 125 g. Chamber pipes;
- 126 h. Carburetor pipes;
- 127 i. Electric pipes;
- 128 j. Air-driven pipes;
- 129 k. Chillums;
- 130 l. Bongs;
- 131 m. Ice pipes or chillers;
- 132 (m) Substances used, intended for use, or designed for use in the manufacture of a
133 controlled substance; In determining whether an object, product, substance or material is drug
134 paraphernalia, a court or other authority should consider, in addition to all other logically
135 relevant factors, the following:
- 136 a. Statements by an owner or by anyone in control of the object concerning its use;
- 137 b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any
138 state or federal law relating to any controlled substance or imitation controlled substance;
- 139 c. The proximity of the object, in time and space, to a direct violation of sections 195.005
140 to 195.425;
- 141 d. The proximity of the object to controlled substances or imitation controlled
142 substances;
- 143 e. The existence of any residue of controlled substances or imitation controlled
144 substances on the object;
- 145 f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of
146 the object, to deliver it to persons who he knows, or should reasonably know, intend to use the
147 object to facilitate a violation of sections 195.005 to 195.425; the innocence of an owner, or of
148 anyone in control of the object, as to direct violation of sections 195.005 to 195.425 shall not
149 prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- 150 g. Instructions, oral or written, provided with the object concerning its use;
- 151 h. Descriptive materials accompanying the object which explain or depict its use;
- 152 i. National or local advertising concerning its use;
- 153 j. The manner in which the object is displayed for sale;

- 154 k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like
155 or related items to the community, such as a licensed distributor or dealer of tobacco products;
- 156 l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of
157 the business enterprise;
- 158 m. The existence and scope of legitimate uses for the object in the community;
- 159 n. Expert testimony concerning its use;
- 160 o. The quantity, form or packaging of the product, substance or material in relation to
161 the quantity, form or packaging associated with any legitimate use for the product, substance or
162 material;
- 163 (18) "Federal narcotic laws", the laws of the United States relating to controlled
164 substances;
- 165 (19) "Hospital", a place devoted primarily to the maintenance and operation of facilities
166 for the diagnosis, treatment or care, for not less than twenty-four hours in any week, of three or
167 more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal
168 physical conditions; or a place devoted primarily to provide, for not less than twenty-four
169 consecutive hours in any week, medical or nursing care for three or more nonrelated individuals.
170 The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined
171 in chapter 198;
- 172 (20) "Immediate precursor", a substance which:
- 173 (a) The state department of health and senior services has found to be and by rule
174 designates as being the principal compound commonly used or produced primarily for use in the
175 manufacture of a controlled substance;
- 176 (b) Is an immediate chemical intermediary used or likely to be used in the manufacture
177 of a controlled substance; and
- 178 (c) The control of which is necessary to prevent, curtail or limit the manufacture of the
179 controlled substance;
- 180 (21) "Imitation controlled substance", a substance that is not a controlled substance,
181 which by dosage unit appearance (including color, shape, size and markings), or by
182 representations made, would lead a reasonable person to believe that the substance is a controlled
183 substance. In determining whether the substance is an imitation controlled substance the court
184 or authority concerned should consider, in addition to all other logically relevant factors, the
185 following:
- 186 (a) Whether the substance was approved by the federal Food and Drug Administration
187 for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and
188 Drug Administration approved package, with the federal Food and Drug Administration
189 approved labeling information;

190 (b) Statements made by an owner or by anyone else in control of the substance
191 concerning the nature of the substance, or its use or effect;

192 (c) Whether the substance is packaged in a manner normally used for illicit controlled
193 substances;

194 (d) Prior convictions, if any, of an owner, or anyone in control of the object, under state
195 or federal law related to controlled substances or fraud;

196 (e) The proximity of the substances to controlled substances;

197 (f) Whether the consideration tendered in exchange for the noncontrolled substance
198 substantially exceeds the reasonable value of the substance considering the actual chemical
199 composition of the substance and, where applicable, the price at which over-the-counter
200 substances of like chemical composition sell. An imitation controlled substance does not include
201 a placebo or registered investigational drug either of which was manufactured, distributed,
202 possessed or delivered in the ordinary course of professional practice or research;

203 (22) **"Industrial hemp":**

204 (a) **All nonseed parts and varieties of the cannabis sativa plant, growing or not, that**
205 **contain a cropwide average tetrahydrocannabinol (THC) concentration that does not**
206 **exceed three-tenths of one percent on a dry weight basis; or**

207 (b) **Any cannabis sativa seed that is part of a growing crop, retained by a grower**
208 **for future planting, or used for processing into or use as agricultural hemp seed.**

209

210 **Industrial hemp does not include industrial hemp commodities and products;**

211 (23) "Laboratory", a laboratory approved by the department of health and senior services
212 as proper to be entrusted with the custody of controlled substances but does not include a
213 pharmacist who compounds controlled substances to be sold or dispensed on prescriptions;

214 [(23)] (24) "Manufacture", the production, preparation, propagation, compounding or
215 processing of drug paraphernalia or of a controlled substance, or an imitation controlled
216 substance, either directly or by extraction from substances of natural origin, or independently by
217 means of chemical synthesis, or by a combination of extraction and chemical synthesis, and
218 includes any packaging or repackaging of the substance or labeling or relabeling of its container.
219 This term does not include the preparation or compounding of a controlled substance or an
220 imitation controlled substance or the preparation, compounding, packaging or labeling of a
221 narcotic or dangerous drug:

222 (a) By a practitioner as an incident to his administering or dispensing of a controlled
223 substance or an imitation controlled substance in the course of his professional practice, or

224 (b) By a practitioner or his authorized agent under his supervision, for the purpose of,
225 or as an incident to, research, teaching or chemical analysis and not for sale;

226 [(24)] (25) "Marijuana", all parts of the plant genus Cannabis in any species or form
227 thereof, including, but not limited to Cannabis Sativa L., **except industrial hemp as defined in**
228 **this section**, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea,
229 whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and
230 every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or
231 resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or
232 cake made from the seeds of the plant, any other compound, manufacture, salt, derivative,
233 mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or
234 cake, or the sterilized seed of the plant which is incapable of germination;

235 [(25)] (26) "Methamphetamine precursor drug", any drug containing ephedrine,
236 pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical
237 isomers;

238 [(26)] (27) "Narcotic drug", any of the following, whether produced directly or indirectly
239 by extraction from substances of vegetable origin, or independently by means of chemical
240 synthesis, or by a combination of extraction and chemical analysis:

241 (a) Opium, opiate, and any derivative, of opium or opiate, including their isomers, esters,
242 ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers,
243 esters, ethers, and salts is possible within the specific chemical designation. The term does not
244 include the isoquinoline alkaloids of opium;

245 (b) Coca leaves, but not including extracts of coca leaves from which cocaine, ecgonine,
246 and derivatives of ecgonine or their salts have been removed;

247 (c) Cocaine or any salt, isomer, or salt of isomer thereof;

248 (d) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof;

249 (e) Any compound, mixture, or preparation containing any quantity of any substance
250 referred to in paragraphs (a) to (d) of this subdivision;

251 [(27)] (28) "Official written order", an order written on a form provided for that purpose
252 by the United States Commissioner of Narcotics, under any laws of the United States making
253 provision therefor, if such order forms are authorized and required by federal law, and if no such
254 order form is provided, then on an official form provided for that purpose by the department of
255 health and senior services;

256 [(28)] (29) "Opiate", any substance having an addiction-forming or addiction-sustaining
257 liability similar to morphine or being capable of conversion into a drug having addiction-forming
258 or addiction-sustaining liability. The term includes its racemic and levorotatory forms. It does
259 not include, unless specifically controlled under section 195.017, the dextrorotatory isomer of
260 3-methoxy-n-methyl-morphinan and its salts (dextromethorphan);

261 [(29)] (30) "Opium poppy", the plant of the species *Papaver somniferum* L., except its
262 seeds;

263 [(30)] (31) "Over-the-counter sale", a retail sale licensed pursuant to chapter 144 of a
264 drug other than a controlled substance;

265 [(31)] (32) "Person", an individual, corporation, government or governmental
266 subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any
267 other legal or commercial entity;

268 [(32)] (33) "Pharmacist", a licensed pharmacist as defined by the laws of this state, and
269 where the context so requires, the owner of a store or other place of business where controlled
270 substances are compounded or dispensed by a licensed pharmacist; but nothing in sections
271 195.005 to 195.425 shall be construed as conferring on a person who is not registered nor
272 licensed as a pharmacist any authority, right or privilege that is not granted to him by the
273 pharmacy laws of this state;

274 [(33)] (34) "Poppy straw", all parts, except the seeds, of the opium poppy, after mowing;

275 [(34)] (35) "Possessed" or "possessing a controlled substance", a person, with the
276 knowledge of the presence and nature of a substance, has actual or constructive possession of
277 the substance. A person has actual possession if he has the substance on his person or within
278 easy reach and convenient control. A person who, although not in actual possession, has the
279 power and the intention at a given time to exercise dominion or control over the substance either
280 directly or through another person or persons is in constructive possession of it. Possession may
281 also be sole or joint. If one person alone has possession of a substance possession is sole. If two
282 or more persons share possession of a substance, possession is joint;

283 [(35)] (36) "Practitioner", a physician, dentist, optometrist, podiatrist, veterinarian,
284 scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise
285 permitted by this state to distribute, dispense, conduct research with respect to or administer or
286 to use in teaching or chemical analysis, a controlled substance in the course of professional
287 practice or research in this state, or a pharmacy, hospital or other institution licensed, registered,
288 or otherwise permitted to distribute, dispense, conduct research with respect to or administer a
289 controlled substance in the course of professional practice or research;

290 [(36)] (37) "Production", includes the manufacture, planting, cultivation, growing, or
291 harvesting of drug paraphernalia or of a controlled substance or an imitation controlled
292 substance;

293 [(37)] (38) "Registry number", the number assigned to each person registered under the
294 federal controlled substances laws;

295 [(38)] (39) "Sale", includes barter, exchange, or gift, or offer therefor, and each such
296 transaction made by any person, whether as principal, proprietor, agent, servant or employee;

297 [(39)] (40) "State" when applied to a part of the United States, includes any state, district,
298 commonwealth, territory, insular possession thereof, and any area subject to the legal authority
299 of the United States of America;

300 [(40)] (41) "Synthetic cannabinoid", includes unless specifically excepted or unless listed
301 in another schedule, any natural or synthetic material, compound, mixture, or preparation that
302 contains any quantity of a substance that is a cannabinoid receptor agonist, including but not
303 limited to any substance listed in paragraph (II) of subdivision (4) of subsection 2 of section
304 195.017 and any analogues[,] ; homologues; isomers, whether optical, positional, or geometric;
305 esters; ethers; salts; and salts of isomers, esters, and ethers, whenever the existence of the
306 isomers, esters, ethers, or salts is possible within the specific chemical designation, however, it
307 shall not include any approved pharmaceutical authorized by the United States Food and Drug
308 Administration;

309 [(41)] (42) "Ultimate user", a person who lawfully possesses a controlled substance or
310 an imitation controlled substance for his own use or for the use of a member of his household
311 or for administering to an animal owned by him or by a member of his household;

312 [(42)] (43) "Wholesaler", a person who supplies drug paraphernalia or controlled
313 substances or imitation controlled substances that he himself has not produced or prepared, on
314 official written orders, but not on prescriptions.

195.017. 1. The department of health and senior services shall place a substance in
2 Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in Schedule I;

8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

11 (a) Acetyl-alpha-methylfentanyl;

12 (b) Acetylmethadol;

13 (c) Allylprodine;

14 (d) Alphacetylmethadol;

15 (e) Alphameprodine;

16 (f) Alphamethadol;

17 (g) Alpha-methylfentanyl;

18 (h) Alpha-methylthiofentanyl;

- 19 (i) Benzethidine;
- 20 (j) Betacetylmethadol;
- 21 (k) Beta-hydroxyfentanyl;
- 22 (l) Beta-hydroxy-3-methylfentanyl;
- 23 (m) Betameprodine;
- 24 (n) Betamethadol;
- 25 (o) Betaprodine;
- 26 (p) Clonitazene;
- 27 (q) Dextromoramide;
- 28 (r) Diampromide;
- 29 (s) Diethylthiambutene;
- 30 (t) Difenoxy;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etoxidine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacymorphan;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;
- 48 (ll) Noracymethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpipanone;
- 52 (pp) Para-fluorofentanyl;
- 53 (qq) PEPAP;
- 54 (rr) Phenadoxone;

- 55 (ss) Phenampromide;
56 (tt) Phenomorphan;
57 (uu) Phenoperidine;
58 (vv) Piritramide;
59 (ww) Proheptazine;
60 (xx) Properidine;
61 (yy) Propiram;
62 (zz) Racemoramide;
63 (aaa) Thiofentanyl;
64 (bbb) Tilidine;
65 (ccc) Trimeperidine;
66 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
67 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
68 is possible within the specific chemical designation:
- 69 (a) Acetorphine;
70 (b) Acetyldihydrocodeine;
71 (c) Benzylmorphine;
72 (d) Codeine methylbromide;
73 (e) Codeine-N-Oxide;
74 (f) Cyprenorphine;
75 (g) Desomorphine;
76 (h) Dihydromorphine;
77 (i) Drotebanol;
78 (j) Etorphine (except hydrochloride salt);
79 (k) Heroin;
80 (l) Hydromorphanol;
81 (m) Methyldesorphine;
82 (n) Methyldihydromorphine;
83 (o) Morphine methylbromide;
84 (p) Morphine methylsulfonate;
85 (q) Morphine-N-Oxide;
86 (r) Myrophine;
87 (s) Nicocodeine;
88 (t) Nicomorphine;
89 (u) Normorphine;
90 (v) Pholcodine;

- 91 (w) Thebacon;
- 92 (4) Any material, compound, mixture or preparation which contains any quantity of the
93 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
94 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
95 the specific chemical designation:
- 96 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 97 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 98 (c) 2,5-dimethoxyamphetamine;
- 99 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 100 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 101 (f) 4-methoxyamphetamine;
- 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 104 (i) 3,4-methylenedioxyamphetamine;
- 105 (j) 3,4-methylenedioxymethamphetamine;
- 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 108 (m) 3,4,5-trimethoxyamphetamine;
- 109 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of
110 isomers;
- 111 (o) Alpha-ethyltryptamine;
- 112 (p) Alpha-methyltryptamine;
- 113 (q) Bufotenine;
- 114 (r) Diethyltryptamine;
- 115 (s) Dimethyltryptamine;
- 116 (t) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (u) Ibogaine;
- 118 (v) Lysergic acid diethylamide;
- 119 (w) Marijuana or marihuana, **except industrial hemp as defined in section 195.010**;
- 120 (x) Mescaline;
- 121 (y) Parahexyl;
- 122 (z) Peyote, to include all parts of the plant presently classified botanically as Lophophora
123 Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such
124 plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant,
125 its seed or extracts;
- 126 (aa) N-ethyl-3-piperidyl benzilate;

- 127 (bb) N-methyl-3-piperidyl benzilate;
- 128 (cc) Psilocybin;
- 129 (dd) Psilocyn;
- 130 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 131 (cannabis plant), **except industrial hemp as defined in section 195.010**, as well as synthetic
- 132 equivalents of the substances contained in the cannabis plant, or in the resinous extractives of
- 133 such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure
- 134 and pharmacological activity to those substances contained in the plant, such as the following:
- 135 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 136 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;
- 138 d. Any compounds of these structures, regardless of numerical designation of atomic
- 139 positions covered;
- 140 (ff) Ethylamine analog of phencyclidine;
- 141 (gg) Pyrrolidine analog of phencyclidine;
- 142 (hh) Thiophene analog of phencyclidine;
- 143 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;
- 144 (jj) Salvia divinorum;
- 145 (kk) Salvinorin A;
- 146 (ll) Synthetic cannabinoids:
- 147 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
- 148 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
- 149 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl
- 150 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
- 151 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
- 152 to:
- 153 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;
- 154 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;
- 155 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;
- 156 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;
- 157 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;
- 158 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;
- 159 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;
- 160 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;
- 161 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;
- 162 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

- 163 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;
164 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;
- 165 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
166 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
167 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
168 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
169 extent;
- 170 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
171 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
172 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
173 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
174 ring to any extent;
- 175 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
176 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
177 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
178 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
179 extent. Including, but not limited to:
- 180 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;
181 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;
182 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;
183 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;
184 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;
- 185 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
186 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
187 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
188 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:
- 189 (i) CP47, 497 & homologues, or 2-[(1R, 3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-
190 2-yl)phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7;
- 191 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
192 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
193 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
194 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
195 any extent. Including, but not limited to:
- 196 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;
197 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;
- 198 g. CP 50,556-1, or [(6S,6aR,9R,10aR) -9-hydroxy-6-methyl-3-

- 199 [(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a - octahydrophenanthridin - 1 - yl] acetate;
200 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
201 6a,7,10,10 a-tetrahydrobenzo[c]chromen-1-ol;
202 i. HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-
203 (2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol;
204 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]
205 oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;
206 k. Dimethylheptylpyran, or DMHP;
207 (5) Any material, compound, mixture or preparation containing any quantity of the
208 following substances having a depressant effect on the central nervous system, including their
209 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
210 isomers is possible within the specific chemical designation:
211 (a) Gamma-hydroxybutyric acid;
212 (b) Mecloqualone;
213 (c) Methaqualone;
214 (6) Any material, compound, mixture or preparation containing any quantity of the
215 following substances having a stimulant effect on the central nervous system, including their
216 salts, isomers and salts of isomers:
217 (a) Aminorex;
218 (b) N-benzylpiperazine;
219 (c) Cathinone;
220 (d) Fenethylamine;
221 (e) 3-Fluoromethcathinone;
222 (f) 4-Fluoromethcathinone;
223 (g) Mephedrone, or 4-methylmethcathinone;
224 (h) Methcathinone;
225 (i) 4-methoxymethcathinone;
226 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
227 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-
228 (1-pyrrolidinyl)-1-pentanone;
229 (l) Methylone, or 3,4-Methylenedioxypropylamphetamine;
230 (m) 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP;
231 (n) N-ethylamphetamine;
232 (o) N,N-dimethylamphetamine;

233 (7) A temporary listing of substances subject to emergency scheduling under federal law
234 shall include any material, compound, mixture or preparation which contains any quantity of the
235 following substances:

236 (a) N-(1-benzyl-4-piperidyl)-N phenylpropanamide (benzylfentanyl), its optical isomers,
237 salts and salts of isomers;

238 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
239 optical isomers, salts and salts of isomers;

240 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
241 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
242 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.

243 3. The department of health and senior services shall place a substance in Schedule II
244 if it finds that:

245 (1) The substance has high potential for abuse;

246 (2) The substance has currently accepted medical use in treatment in the United States,
247 or currently accepted medical use with severe restrictions; and

248 (3) The abuse of the substance may lead to severe psychic or physical dependence.

249 4. The controlled substances listed in this subsection are included in Schedule II:

250 (1) Any of the following substances whether produced directly or indirectly by extraction
251 from substances of vegetable origin, or independently by means of chemical synthesis, or by
252 combination of extraction and chemical synthesis:

253 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
254 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
255 nalmefene, naloxone and naltrexone, and their respective salts but including the following:

256 a. Raw opium;

257 b. Opium extracts;

258 c. Opium fluid;

259 d. Powdered opium;

260 e. Granulated opium;

261 f. Tincture of opium;

262 g. Codeine;

263 h. Ethylmorphine;

264 i. Etorphine hydrochloride;

265 j. Hydrocodone;

266 k. Hydromorphone;

267 l. Metopon;

268 m. Morphine;

- 269 n. Oxycodone;
- 270 o. Oxymorphone;
- 271 p. Thebaine;
- 272 (b) Any salt, compound, derivative, or preparation thereof which is chemically
- 273 equivalent or identical with any of the substances referred to in this subdivision, but not
- 274 including the isoquinoline alkaloids of opium;
- 275 (c) Opium poppy and poppy straw;
- 276 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
- 277 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical
- 278 with any of these substances, but not including decocainized coca leaves or extractions which
- 279 do not contain cocaine or ecgonine;
- 280 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
- 281 or powder form which contains the phenanthrene alkaloids of the opium poppy);
- 282 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
- 283 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
- 284 the specific chemical designation, dextrorphan and levopropoxyphene excepted:
- 285 (a) Alfentanil;
- 286 (b) Alphaprodine;
- 287 (c) Anileridine;
- 288 (d) Bezitramide;
- 289 (e) Bulk dextropropoxyphene;
- 290 (f) Carfentanil;
- 291 (g) Dihydrocodeine;
- 292 (h) Diphenoxylate;
- 293 (i) Fentanyl;
- 294 (j) Isomethadone;
- 295 (k) Levo-alphaacetylmethadol;
- 296 (l) Levomethorphan;
- 297 (m) Levorphanol;
- 298 (n) Metazocine;
- 299 (o) Methadone;
- 300 (p) Meperidine;
- 301 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 302 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, [1-diphenylpropane--carboxylic
- 303 acid] **1-diphenylpropane-carboxylic acid**;
- 304 (s) Pethidine (meperidine);

- 305 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
306 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
307 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
308 (w) Phenazocine;
309 (x) Piminodine;
310 (y) Racemethorphan;
311 (z) Racemorphan;
312 (aa) Remifentanyl;
313 (bb) Sufentanyl;
314 (cc) Tapentadol;
315 (3) Any material, compound, mixture, or preparation which contains any quantity of the
316 following substances having a stimulant effect on the central nervous system:
317 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
318 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
319 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
320 (d) Phenmetrazine and its salts;
321 (e) Methylphenidate;
322 (4) Any material, compound, mixture, or preparation which contains any quantity of the
323 following substances having a depressant effect on the central nervous system, including its salts,
324 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
325 is possible within the specific chemical designation:
326 (a) Amobarbital;
327 (b) Glutethimide;
328 (c) Pentobarbital;
329 (d) Phencyclidine;
330 (e) Secobarbital;
331 (5) Any material or compound which contains any quantity of nabilone;
332 (6) Any material, compound, mixture, or preparation which contains any quantity of the
333 following substances:
334 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
335 (b) Immediate precursors to phencyclidine (PCP):
336 a. 1-phenylcyclohexylamine;
337 b. 1-piperidinocyclohexanecarbonitrile (PCC);
338 (7) Any material, compound, mixture, or preparation which contains any quantity of the
339 following alkyl nitrites:
340 (a) Amyl nitrite;

- 341 (b) Butyl nitrite.
- 342 5. The department of health and senior services shall place a substance in Schedule III
343 if it finds that:
- 344 (1) The substance has a potential for abuse less than the substances listed in Schedules
345 I and II;
- 346 (2) The substance has currently accepted medical use in treatment in the United States;
347 and
- 348 (3) Abuse of the substance may lead to moderate or low physical dependence or high
349 psychological dependence.
- 350 6. The controlled substances listed in this subsection are included in Schedule III:
- 351 (1) Any material, compound, mixture, or preparation which contains any quantity of the
352 following substances having a potential for abuse associated with a stimulant effect on the
353 central nervous system:
- 354 (a) Benzphetamine;
- 355 (b) Chlorphentermine;
- 356 (c) Clortermine;
- 357 (d) Phendimetrazine;
- 358 (2) Any material, compound, mixture or preparation which contains any quantity or salt
359 of the following substances or salts having a depressant effect on the central nervous system:
- 360 (a) Any material, compound, mixture or preparation which contains any quantity or salt
361 of the following substances combined with one or more active medicinal ingredients:
- 362 a. Amobarbital;
- 363 b. Secobarbital;
- 364 c. Pentobarbital;
- 365 (b) Any suppository dosage form containing any quantity or salt of the following:
- 366 a. Amobarbital;
- 367 b. Secobarbital;
- 368 c. Pentobarbital;
- 369 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
370 salt;
- 371 (d) Chlorhexadol;
- 372 (e) Embutramide;
- 373 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
374 a drug product for which an application has been approved under Section 505 of the federal
375 Food, Drug, and Cosmetic Act;
- 376 (g) Ketamine, its salts, isomers, and salts of isomers;

- 377 (h) Lysergic acid;
378 (i) Lysergic acid amide;
379 (j) Methyprylon;
380 (k) Sulfondiethylmethane;
381 (l) Sulfonethylmethane;
382 (m) Sulfonmethane;
383 (n) Tiletamine and zolazepam or any salt thereof;
384 (3) Nalorphine;
385 (4) Any material, compound, mixture, or preparation containing limited quantities of any
386 of the following narcotic drugs or their salts:
387 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
388 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
389 of opium;
390 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
391 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
392 therapeutic amounts;
393 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
394 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
395 isoquinoline alkaloid of opium;
396 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
397 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
398 ingredients in recognized therapeutic amounts;
399 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
400 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
401 recognized therapeutic amounts;
402 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
403 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
404 ingredients in recognized therapeutic amounts;
405 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
406 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
407 active nonnarcotic ingredients in recognized therapeutic amounts;
408 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
409 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
410 amounts;
411 (5) Any material, compound, mixture, or preparation containing any of the following
412 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;

413 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
414 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
415 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
416 expressly intended for administration through implants to cattle or other nonhuman species and
417 which has been approved by the Secretary of Health and Human Services for that administration.
418 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
419 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
420 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,
421 any material, compound, mixture or preparation containing any quantity of the following
422 substances, including its salts, esters and ethers:

- 423 (a) $3\beta,17$ -dihydroxy- 5α -androstane;
- 424 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstane;
- 425 (c) 5α -androstan- $3,17$ -dione;
- 426 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 427 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
- 428 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
- 429 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
- 430 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
- 431 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
- 432 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
- 433 (k) Bolasterone ($7\alpha, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 434 (l) Boldenone (17β -hydroxyandrost-1,4,-diene-3-one);
- 435 (m) Boldione;
- 436 (n) Calusterone ($7\beta, 17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
- 437 (o) Clostebol (4-chloro- 17β -hydroxyandrost-4-en-3-one);
- 438 (p) Dehydrochloromethyltestosterone (4-chloro- 17β -hydroxy- 17α -methyl-
439 androst-1,4-dien-3-one);
- 440 (q) Desoxymethyltestosterone;
- 441 (r) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17β -hydroxy- 5α -androst-1-en-3-one);
- 442 (s) 4-dihydrotestosterone (17β -hydroxy-androstan-3-one);
- 443 (t) Drostanolone (17β -hydroxy- 2α -methyl- 5α -androstan-3-one);
- 444 (u) Ethylestrenol (17α -ethyl- 17β -hydroxyestr-4-ene);
- 445 (v) Fluoxymesterone (9-fluoro- 17α -methyl- $11\beta,17\beta$ -dihydroxyandrost-4-en-3-one);
- 446 (w) Formebolone (2-formyl- 17α -methyl- $11\alpha,17\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 447 (x) Furazabol (17α -methyl- 17β -hydroxyandrostano[2,3-c]-furazan);
- 448 (y) 13β -ethyl- 17β -hydroxygon-4-en-3-one;

- 449 (z) 4-hydroxytestosterone (4,17 β -dihydroxy-androst-4-en-3-one);
450 (aa) 4-hydroxy-19-nortestosterone (4,17 β -dihydroxy-estr-4-en-3-one);
451 (bb) Mestanolone (17 α -methyl-17 β -hydroxy-5-androstan-3-one);
452 (cc) Mesterolone (1 α -methyl-17 β -hydroxy-[5 α]-androstan-3-one);
453 (dd) Methandienone (17 α -methyl-17 β -hydroxyandrost-1,4-dien-3-one);
454 (ee) Methandriol (17 α -methyl-3 β ,17 β -dihydroxyandrost-5-ene);
455 (ff) Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one);
456 (gg) 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstane);
457 (hh) 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstane);
458 (ii) 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene;
459 (jj) 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-
460 one);
461 (kk) Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one);
462 (ll) Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9-11-trien-3-one);
463 (mm) Methyltestosterone (17 α -methyl-17 β -hydroxyandrost-4-en-3-one);
464 (nn) Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one);
465 (oo) 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-
466 one) (a.k.a. '17- α -methyl-1-testosterone');
467 (pp) Nandrolone (17 β -hydroxyestr-4-ene-3-one);
468 (qq) 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene);
469 (rr) 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene);
470 (ss) 19-nor-4,9(10)-androstadienedione;
471 (tt) 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene);
472 (uu) 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene);
473 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
474 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
475 (xx) Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one);
476 (yy) Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one);
477 (zz) Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one);
478 (aaa) Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one);
479 (bbb) Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one);
480 (ccc) Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
481 (ddd) Oxymethalone (17 α -methyl-2-hydroxymethylene-17 β -hydroxy-[5 α]-androstan-3-
482 one);
483 (eee) Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole);
484 (fff) Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one);

485 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
486 (hhh) Testosterone (17 β -hydroxyandrost-4-en-3-one);
487 (iii) Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one);
488 (jjj) Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one);
489 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
490 subdivision, except an anabolic steroid which is expressly intended for administration through
491 implants to cattle or other nonhuman species and which has been approved by the Secretary of
492 Health and Human Services for that administration;

493 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
494 United States Food and Drug Administration approved drug product;

495 (8) The department of health and senior services may except by rule any compound,
496 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
497 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
498 195.320 if the compound, mixture, or preparation contains one or more active medicinal
499 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
500 admixtures are included therein in combinations, quantity, proportion, or concentration that
501 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
502 the central nervous system.

503 7. The department of health and senior services shall place a substance in Schedule IV
504 if it finds that:

505 (1) The substance has a low potential for abuse relative to substances in Schedule III;

506 (2) The substance has currently accepted medical use in treatment in the United States;

507 and

508 (3) Abuse of the substance may lead to limited physical dependence or psychological
509 dependence relative to the substances in Schedule III.

510 8. The controlled substances listed in this subsection are included in Schedule IV:

511 (1) Any material, compound, mixture, or preparation containing any of the following
512 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
513 as set forth below:

514 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
515 of atropine sulfate per dosage unit;

516 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-
517 propionoxybutane);

518 (c) Any of the following limited quantities of narcotic drugs or their salts, which shall
519 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer

520 upon the compound, mixture or preparation valuable medicinal qualities other than those
521 possessed by the narcotic drug alone:

522 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
523 one hundred grams;

524 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
525 or per one hundred grams;

526 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
527 or per one hundred grams;

528 (2) Any material, compound, mixture or preparation containing any quantity of the
529 following substances, including their salts, isomers, and salts of isomers whenever the existence
530 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

531 (a) Alprazolam;

532 (b) Barbital;

533 (c) Bromazepam;

534 (d) Camazepam;

535 (e) Chloral betaine;

536 (f) Chloral hydrate;

537 (g) Chlordiazepoxide;

538 (h) Clobazam;

539 (i) Clonazepam;

540 (j) Clorazepate;

541 (k) Clotiazepam;

542 (l) Cloxazolam;

543 (m) Delorazepam;

544 (n) Diazepam;

545 (o) Dichloralphenazone;

546 (p) Estazolam;

547 (q) Ethchlorvynol;

548 (r) Ethinamate;

549 (s) Ethyl loflazepate;

550 (t) Fludiazepam;

551 (u) Flunitrazepam;

552 (v) Flurazepam;

553 (w) Fospropofol;

554 (x) Halazepam;

555 (y) Haloxazolam;

- 556 (z) Ketazolam;
557 (aa) Loprazolam;
558 (bb) Lorazepam;
559 (cc) Lormetazepam;
560 (dd) Mebutamate;
561 (ee) Medazepam;
562 (ff) Meprobamate;
563 (gg) Methohexital;
564 (hh) Methylphenobarbital (mephobarbital);
565 (ii) Midazolam;
566 (jj) Nimetazepam;
567 (kk) Nitrazepam;
568 (ll) Nordiazepam;
569 (mm) Oxazepam;
570 (nn) Oxazolam;
571 (oo) Paraldehyde;
572 (pp) Petrichloral;
573 (qq) Phenobarbital;
574 (rr) Pinazepam;
575 (ss) Prazepam;
576 (tt) Quazepam;
577 (uu) Temazepam;
578 (vv) Tetrazepam;
579 (ww) Triazolam;
580 (xx) Zaleplon;
581 (yy) Zolpidem;
582 (zz) Zopiclone;
583 (3) Any material, compound, mixture, or preparation which contains any quantity of the
584 following substance including its salts, isomers and salts of isomers whenever the existence of
585 such salts, isomers and salts of isomers is possible: fenfluramine;
586 (4) Any material, compound, mixture or preparation containing any quantity of the
587 following substances having a stimulant effect on the central nervous system, including their
588 salts, isomers and salts of isomers:
589 (a) Cathine ((+)-norpseudoephedrine);
590 (b) Diethylpropion;
591 (c) Fencamfamin;

- 592 (d) Fenproporex;
593 (e) Mazindol;
594 (f) Mefenorex;
595 (g) Modafinil;
596 (h) Pemoline, including organometallic complexes and chelates thereof;
597 (i) Phentermine;
598 (j) Pipradrol;
599 (k) Sibutramine;
600 (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
601 (5) Any material, compound, mixture or preparation containing any quantity of the
602 following substance, including its salts:
603 (a) butorphanol;
604 (b) pentazocine;
605 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
606 is the only active medicinal ingredient;
607 (7) The department of health and senior services may except by rule any compound,
608 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
609 subsection from the application of all or any part of sections 195.010 to 195.320 and sections
610 579.015 to 579.086 if the compound, mixture, or preparation contains one or more active
611 medicinal ingredients not having a depressant effect on the central nervous system, and if the
612 admixtures are included therein in combinations, quantity, proportion, or concentration that
613 vitiate the potential for abuse of the substances which have a depressant effect on the central
614 nervous system.
- 615 9. The department of health and senior services shall place a substance in Schedule V
616 if it finds that:
- 617 (1) The substance has low potential for abuse relative to the controlled substances listed
618 in Schedule IV;
- 619 (2) The substance has currently accepted medical use in treatment in the United States;
620 and
- 621 (3) The substance has limited physical dependence or psychological dependence liability
622 relative to the controlled substances listed in Schedule IV.
- 623 10. The controlled substances listed in this subsection are included in Schedule V:
- 624 (1) Any compound, mixture or preparation containing any of the following narcotic
625 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
626 forth below, which also contains one or more nonnarcotic active medicinal ingredients in

627 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
628 qualities other than those possessed by the narcotic drug alone:

629 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than
630 twenty-five micrograms of atropine sulfate per dosage unit;

631 (b) Not more than one hundred milligrams of opium per one hundred milliliters or per
632 one hundred grams;

633 (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five
634 micrograms of atropine sulfate per dosage unit;

635 (2) Any material, compound, mixture or preparation which contains any quantity of the
636 following substance having a stimulant effect on the central nervous system including its salts,
637 isomers and salts of isomers: pyrovalerone;

638 (3) Any compound, mixture, or preparation containing any detectable quantity of
639 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
640 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
641 isomers, or salts of optical isomers;

642 (4) Unless specifically exempted or excluded or unless listed in another schedule, any
643 material, compound, mixture, or preparation which contains any quantity of the following
644 substances having a depressant effect on the central nervous system, including its salts:

645 (a) Lacosamide;

646 (b) Pregabalin.

647 11. If any compound, mixture, or preparation as specified in subdivision (3) of
648 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a
649 prescription:

650 (1) All packages of any compound, mixture, or preparation containing any detectable
651 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,
652 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
653 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
654 registered pharmacy technician; and

655 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
656 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
657 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
658 shall be at least eighteen years of age; and

659 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
660 any person, prior to such person's purchasing, receiving or otherwise acquiring such compound,
661 mixture, or preparation to furnish suitable photo identification that is issued by a state or the

662 federal government or a document that, with respect to identification, is considered acceptable
663 and showing the date of birth of the person;

664 (4) The seller shall deliver the product directly into the custody of the purchaser.

665 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall
666 implement and maintain an electronic log of each transaction. Such log shall include the
667 following information:

668 (1) The name, address, and signature of the purchaser;

669 (2) The amount of the compound, mixture, or preparation purchased;

670 (3) The date and time of each purchase; and

671 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
672 technician who dispensed the compound, mixture, or preparation to the purchaser.

673 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
674 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
675 transmission methods and frequency established by the department by regulation;

676 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
677 greater than those specified in this chapter.

678 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
679 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
680 where the public is not permitted.

681 16. The penalties for a knowing or reckless violation of the provisions of subsections 11
682 to 15 of this section are found in section 579.060.

683 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
684 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
685 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
686 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
687 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

688 18. The manufacturer of a drug product or another interested party may apply with the
689 department of health and senior services for an exemption from this section. The department of
690 health and senior services may grant an exemption by rule from this section if the department
691 finds the drug product is not used in the illegal manufacture of methamphetamine or other
692 controlled or dangerous substances. The department of health and senior services shall rely on
693 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
694 proposed product can be used to manufacture illicit controlled substances.

695 19. The department of health and senior services shall revise and republish the schedules
696 annually.

697 20. The department of health and senior services shall promulgate rules under chapter
698 536 regarding the security and storage of Schedule V controlled substances, as described in
699 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
700 of health and senior services.

701 21. Logs of transactions required to be kept and maintained by this section and section
702 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
703 the person whose transactions are recorded in the logs.

 195.017. 1. The department of health and senior services shall place a substance in
2 Schedule I if it finds that the substance:

3 (1) Has high potential for abuse; and

4 (2) Has no accepted medical use in treatment in the United States or lacks accepted
5 safety for use in treatment under medical supervision.

6 2. Schedule I:

7 (1) The controlled substances listed in this subsection are included in Schedule I;

8 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
9 of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these
10 isomers, esters, ethers and salts is possible within the specific chemical designation:

11 (a) Acetyl-alpha-methylfentanyl;

12 (b) Acetylmethadol;

13 (c) Allylprodine;

14 (d) Alphacetylmethadol;

15 (e) Alphameprodine;

16 (f) Alphamethadol;

17 (g) Alpha-methylfentanyl;

18 (h) Alpha-methylthiofentanyl;

19 (i) Benzethidine;

20 (j) Betacetylmethadol;

21 (k) Beta-hydroxyfentanyl;

22 (l) Beta-hydroxy-3-methylfentanyl;

23 (m) Betameprodine;

24 (n) Betamethadol;

25 (o) Betaprodine;

26 (p) Clonitazene;

27 (q) Dextromoramide;

28 (r) Diampromide;

29 (s) Diethylthiambutene;

- 30 (t) Difenoquin;
- 31 (u) Dimenoxadol;
- 32 (v) Dimepheptanol;
- 33 (w) Dimethylthiambutene;
- 34 (x) Dioxaphetyl butyrate;
- 35 (y) Dipipanone;
- 36 (z) Ethylmethylthiambutene;
- 37 (aa) Etonitazene;
- 38 (bb) Etozeridine;
- 39 (cc) Furethidine;
- 40 (dd) Hydroxypethidine;
- 41 (ee) Ketobemidone;
- 42 (ff) Levomoramide;
- 43 (gg) Levophenacilmorphan;
- 44 (hh) 3-Methylfentanyl;
- 45 (ii) 3-Methylthiofentanyl;
- 46 (jj) Morpheridine;
- 47 (kk) MPPP;
- 48 (ll) Noracymethadol;
- 49 (mm) Norlevorphanol;
- 50 (nn) Normethadone;
- 51 (oo) Norpipanone;
- 52 (pp) Para-fluorofentanyl;
- 53 (qq) PEPAP;
- 54 (rr) Phenadoxone;
- 55 (ss) Phenampromide;
- 56 (tt) Phenomorphan;
- 57 (uu) Phenoperidine;
- 58 (vv) Piritramide;
- 59 (ww) Proheptazine;
- 60 (xx) Properidine;
- 61 (yy) Propiram;
- 62 (zz) Racemoramide;
- 63 (aaa) Thiofentanyl;
- 64 (bbb) Tilidine;
- 65 (ccc) Trimeperidine;

66 (3) Any of the following opium derivatives, their salts, isomers and salts of isomers
67 unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers
68 is possible within the specific chemical designation:

- 69 (a) Acetorphine;
- 70 (b) Acetyldihydrocodeine;
- 71 (c) Benzylmorphine;
- 72 (d) Codeine methylbromide;
- 73 (e) Codeine-N-Oxide;
- 74 (f) Cyprenorphine;
- 75 (g) Desomorphine;
- 76 (h) Dihydromorphine;
- 77 (i) Drotebanol;
- 78 (j) Etorphine (except hydrochloride salt);
- 79 (k) Heroin;
- 80 (l) Hydromorphenol;
- 81 (m) Methyldesorphine;
- 82 (n) Methyldihydromorphine;
- 83 (o) Morphine methylbromide;
- 84 (p) Morphine methylsulfonate;
- 85 (q) Morphine-N-Oxide;
- 86 (r) Myrophine;
- 87 (s) Nicocodeine;
- 88 (t) Nicomorphine;
- 89 (u) Normorphine;
- 90 (v) Pholcodine;
- 91 (w) Thebacon;

92 (4) Any material, compound, mixture or preparation which contains any quantity of the
93 following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically
94 excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within
95 the specific chemical designation:

- 96 (a) 4-bromo-2, 5-dimethoxyamphetamine;
- 97 (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- 98 (c) 2,5-dimethoxyamphetamine;
- 99 (d) 2,5-dimethoxy-4-ethylamphetamine;
- 100 (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- 101 (f) 4-methoxyamphetamine;

- 102 (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- 103 (h) 4-methyl-2, 5-dimethoxyamphetamine;
- 104 (i) 3,4-methylenedioxyamphetamine;
- 105 (j) 3,4-methylenedioxymethamphetamine;
- 106 (k) 3,4-methylenedioxy-N-ethylamphetamine;
- 107 (l) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 108 (m) 3,4,5-trimethoxyamphetamine;
- 109 (n) 5-MeO-DMT or 5-methoxy-N,N-dimethyltryptamine, its isomers, salts, and salts of
- 110 isomers;
- 111 (o) Alpha-ethyltryptamine;
- 112 (p) Alpha-methyltryptamine;
- 113 (q) Bufotenine;
- 114 (r) Diethyltryptamine;
- 115 (s) Dimethyltryptamine;
- 116 (t) 5-methoxy-N,N-diisopropyltryptamine;
- 117 (u) Ibogaine;
- 118 (v) Lysergic acid diethylamide;
- 119 (w) Marijuana or marihuana, **except industrial hemp as defined in section 195.010**;
- 120 (x) Mescaline;
- 121 (y) Parahexyl;
- 122 (z) Peyote, to include all parts of the plant presently classified botanically as Lophophora
- 123 Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such
- 124 plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant,
- 125 its seed or extracts;
- 126 (aa) N-ethyl-3-piperidyl benzilate;
- 127 (bb) N-methyl-3-piperidyl benzilate;
- 128 (cc) Psilocybin;
- 129 (dd) Psilocyn;
- 130 (ee) Tetrahydrocannabinols naturally contained in a plant of the genus Cannabis
- 131 (cannabis plant), **except industrial hemp as defined in section 195.010**, as well as synthetic
- 132 equivalents of the substances contained in the cannabis plant, or in the resinous extractives of
- 133 such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure
- 134 and pharmacological activity to those substances contained in the plant, such as the following:
- 135 a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 136 b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 137 c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;

138 d. Any compounds of these structures, regardless of numerical designation of atomic
139 positions covered;

140 (ff) Ethylamine analog of phencyclidine;

141 (gg) Pyrrolidine analog of phencyclidine;

142 (hh) Thiophene analog of phencyclidine;

143 (ii) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

144 (jj) Salvia divinorum;

145 (kk) Salvinorin A;

146 (ll) Synthetic cannabinoids:

147 a. Any compound structurally derived from 3-(1-naphthoyl)indole or
148 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by
149 alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl
150 or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
151 extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited
152 to:

153 (i) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole;

154 (ii) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole;

155 (iii) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole;

156 (iv) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole;

157 (v) JWH-073, or 1-butyl-3-(1-naphthoyl)indole;

158 (vi) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole;

159 (vii) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole;

160 (viii) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole;

161 (ix) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole;

162 (x) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole;

163 (xi) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole;

164 (xii) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole;

165 b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the
166 nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
167 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
168 substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any
169 extent;

170 c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution
171 at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
172 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or

173 not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl
174 ring to any extent;

175 d. Any compound structurally derived from 3-phenylacetylindole by substitution at the
176 nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
177 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
178 substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any
179 extent. Including, but not limited to:

180 (i) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole;

181 (ii) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole;

182 (iii) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole;

183 (iv) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole;

184 (v) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole;

185 e. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by
186 substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
187 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or
188 not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

189 (i) CP 47, 497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-
190 (2-methyloctan-2-yl)phenol), where side chain n=5, and homologues where side chain n=4, 6, or
191 7;

192 f. Any compound containing a 3-(benzoyl)indole structure with substitution at the
193 nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
194 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
195 substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to
196 any extent. Including, but not limited to:

197 (i) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole;

198 (ii) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole;

199 g. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-
200 yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

201 h. HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-
202 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

203 i. HU-211, or Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
204 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

205 j. CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-
206 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

207 k. Dimethylheptylpyran, or DMHP;

208 (5) Any material, compound, mixture or preparation containing any quantity of the
209 following substances having a depressant effect on the central nervous system, including their
210 salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of
211 isomers is possible within the specific chemical designation:

212 (a) Gamma-hydroxybutyric acid;

213 (b) Mecloqualone;

214 (c) Methaqualone;

215 (6) Any material, compound, mixture or preparation containing any quantity of the
216 following substances having a stimulant effect on the central nervous system, including their
217 salts, isomers and salts of isomers:

218 (a) Aminorex;

219 (b) N-benzylpiperazine;

220 (c) Cathinone;

221 (d) Fenethylamine;

222 (e) 3-Fluoromethcathinone;

223 (f) 4-Fluoromethcathinone;

224 (g) Mephedrone, or 4-methylmethcathinone;

225 (h) Methcathinone;

226 (i) 4-methoxymethcathinone;

227 (j) (+,-)cis-4-methylaminorex ((+,-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

228 (k) Methylenedioxypropylamphetamine, MDPV, or (1-(1, 3-Benzodioxol-5-yl)-2-
229 (1-pyrrolidinyl)-1-pentanone;

230 (l) Methylone, or 3,4-Methylenedioxypropylamphetamine;

231 (m) 4-Methyl-alpha-pyrrolidinobutylphenone, or MPBP;

232 (n) N-ethylamphetamine;

233 (o) N,N-dimethylamphetamine;

234 (7) A temporary listing of substances subject to emergency scheduling under federal law
235 shall include any material, compound, mixture or preparation which contains any quantity of the
236 following substances:

237 (a) N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers,
238 salts and salts of isomers;

239 (b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its
240 optical isomers, salts and salts of isomers;

241 (8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*,
242 whether growing or not; the seeds thereof; any extract from any part of such plant; and every
243 compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.

244 3. The department of health and senior services shall place a substance in Schedule II
245 if it finds that:

246 (1) The substance has high potential for abuse;

247 (2) The substance has currently accepted medical use in treatment in the United States,
248 or currently accepted medical use with severe restrictions; and

249 (3) The abuse of the substance may lead to severe psychic or physical dependence.

250 4. The controlled substances listed in this subsection are included in Schedule II:

251 (1) Any of the following substances whether produced directly or indirectly by extraction
252 from substances of vegetable origin, or independently by means of chemical synthesis, or by
253 combination of extraction and chemical synthesis:

254 (a) Opium and opiate and any salt, compound, derivative or preparation of opium or
255 opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine,
256 nalmeferene, naloxone and naltrexone, and their respective salts but including the following:

257 a. Raw opium;

258 b. Opium extracts;

259 c. Opium fluid;

260 d. Powdered opium;

261 e. Granulated opium;

262 f. Tincture of opium;

263 g. Codeine;

264 h. Ethylmorphine;

265 i. Etorphine hydrochloride;

266 j. Hydrocodone;

267 k. Hydromorphone;

268 l. Metopon;

269 m. Morphine;

270 n. Oxycodone;

271 o. Oxymorphone;

272 p. Thebaine;

273 (b) Any salt, compound, derivative, or preparation thereof which is chemically
274 equivalent or identical with any of the substances referred to in this subdivision, but not
275 including the isoquinoline alkaloids of opium;

276 (c) Opium poppy and poppy straw;

277 (d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and
278 any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical

279 with any of these substances, but not including decocainized coca leaves or extractions which
280 do not contain cocaine or ecgonine;

281 (e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid
282 or powder form which contains the phenanthrene alkaloids of the opium poppy);

283 (2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
284 of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within
285 the specific chemical designation, dextrorphan and levopropoxyphene excepted:

286 (a) Alfentanil;

287 (b) Alphaprodine;

288 (c) Anileridine;

289 (d) Bezitramide;

290 (e) Bulk dextropropoxyphene;

291 (f) Carfentanil;

292 (g) Dihydrocodeine;

293 (h) Diphenoxylate;

294 (i) Fentanyl;

295 (j) Isomethadone;

296 (k) Levo-alphaacetylmethadol;

297 (l) Levomethorphan;

298 (m) Levorphanol;

299 (n) Metazocine;

300 (o) Methadone;

301 (p) Meperidine;

302 (q) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

303 (r) Moramide-Intermediate, 2-methyl-3-morpholino-1, [1-diphenylpropane--carboxylic
304 acid] **1-diphenylpropane-carboxylic acid**;

305 (s) Pethidine (meperidine);

306 (t) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

307 (u) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

308 (v) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

309 (w) Phenazocine;

310 (x) Piminodine;

311 (y) Racemethorphan;

312 (z) Racemorphan;

313 (aa) Remifentanil;

314 (bb) Sufentanil;

- 315 (cc) Tapentadol;
- 316 (3) Any material, compound, mixture, or preparation which contains any quantity of the
- 317 following substances having a stimulant effect on the central nervous system:
- 318 (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 319 (b) Lisdexamfetamine, its salts, isomers, and salts of its isomers;
- 320 (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- 321 (d) Phenmetrazine and its salts;
- 322 (e) Methylphenidate;
- 323 (4) Any material, compound, mixture, or preparation which contains any quantity of the
- 324 following substances having a depressant effect on the central nervous system, including its salts,
- 325 isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers
- 326 is possible within the specific chemical designation:
- 327 (a) Amobarbital;
- 328 (b) Glutethimide;
- 329 (c) Pentobarbital;
- 330 (d) Phencyclidine;
- 331 (e) Secobarbital;
- 332 (5) Any material or compound which contains any quantity of nabilone;
- 333 (6) Any material, compound, mixture, or preparation which contains any quantity of the
- 334 following substances:
- 335 (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
- 336 (b) Immediate precursors to phencyclidine (PCP):
- 337 a. 1-phenylcyclohexylamine;
- 338 b. 1-piperidinocyclohexanecarbonitrile (PCC);
- 339 (7) Any material, compound, mixture, or preparation which contains any quantity of the
- 340 following alkyl nitrites:
- 341 (a) Amyl nitrite;
- 342 (b) Butyl nitrite.
- 343 5. The department of health and senior services shall place a substance in Schedule III
- 344 if it finds that:
- 345 (1) The substance has a potential for abuse less than the substances listed in Schedules
- 346 I and II;
- 347 (2) The substance has currently accepted medical use in treatment in the United States;
- 348 and
- 349 (3) Abuse of the substance may lead to moderate or low physical dependence or high
- 350 psychological dependence.

351 6. The controlled substances listed in this subsection are included in Schedule III:

352 (1) Any material, compound, mixture, or preparation which contains any quantity of the
353 following substances having a potential for abuse associated with a stimulant effect on the
354 central nervous system:

355 (a) Benzphetamine;

356 (b) Chlorphentermine;

357 (c) Clortermine;

358 (d) Phendimetrazine;

359 (2) Any material, compound, mixture or preparation which contains any quantity or salt
360 of the following substances or salts having a depressant effect on the central nervous system:

361 (a) Any material, compound, mixture or preparation which contains any quantity or salt
362 of the following substances combined with one or more active medicinal ingredients:

363 a. Amobarbital;

364 b. Secobarbital;

365 c. Pentobarbital;

366 (b) Any suppository dosage form containing any quantity or salt of the following:

367 a. Amobarbital;

368 b. Secobarbital;

369 c. Pentobarbital;

370 (c) Any substance which contains any quantity of a derivative of barbituric acid or its
371 salt;

372 (d) Chlorhexadol;

373 (e) Embutramide;

374 (f) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in
375 a drug product for which an application has been approved under Section 505 of the federal
376 Food, Drug, and Cosmetic Act;

377 (g) Ketamine, its salts, isomers, and salts of isomers;

378 (h) Lysergic acid;

379 (i) Lysergic acid amide;

380 (j) Methyprylon;

381 (k) Sulfondiethylmethane;

382 (l) Sulfonethylmethane;

383 (m) Sulfonmethane;

384 (n) Tiletamine and zolazepam or any salt thereof;

385 (3) Nalorphine;

386 (4) Any material, compound, mixture, or preparation containing limited quantities of any
387 of the following narcotic drugs or their salts:

388 (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
389 ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
390 of opium;

391 (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than
392 ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized
393 therapeutic amounts;

394 (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
395 or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an
396 isoquinoline alkaloid of opium;

397 (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters
398 or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic
399 ingredients in recognized therapeutic amounts;

400 (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or not more
401 than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in
402 recognized therapeutic amounts;

403 (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters
404 or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic
405 ingredients in recognized therapeutic amounts;

406 (g) Not more than five hundred milligrams of opium per one hundred milliliters or per
407 one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more
408 active nonnarcotic ingredients in recognized therapeutic amounts;

409 (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one
410 hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic
411 amounts;

412 (5) Any material, compound, mixture, or preparation containing any of the following
413 narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;

414 (6) Anabolic steroids. Any drug or hormonal substance, chemically and
415 pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and
416 dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is
417 expressly intended for administration through implants to cattle or other nonhuman species and
418 which has been approved by the Secretary of Health and Human Services for that administration.
419 If any person prescribes, dispenses, or distributes such steroid for human use, such person shall
420 be considered to have prescribed, dispensed, or distributed an anabolic steroid within the
421 meaning of this subdivision. Unless specifically excepted or unless listed in another schedule,

422 any material, compound, mixture or preparation containing any quantity of the following
423 substances, including its salts, esters and ethers:

- 424 (a) $3\beta,17$ -dihydroxy- 5α -androstane;
425 (b) $3\alpha,17\beta$ -dihydroxy- 5α -androstane;
426 (c) 5α -androstan- $3,17$ -dione;
427 (d) 1-androstenediol ($3\beta,17\beta$ -dihydroxy- 5α -androst-1-ene);
428 (e) 1-androstenediol ($3\alpha,17\beta$ -dihydroxy- 5α -androst-1-ene);
429 (f) 4-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-4-ene);
430 (g) 5-androstenediol ($3\beta,17\beta$ -dihydroxy-androst-5-ene);
431 (h) 1-androstenedione ($[5\alpha]$ -androst-1-en- $3,17$ -dione);
432 (i) 4-androstenedione (androst-4-en- $3,17$ -dione);
433 (j) 5-androstenedione (androst-5-en- $3,17$ -dione);
434 (k) Bolasterone ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
435 (l) Boldenone (17β -hydroxyandrost-1,4,-diene-3-one);
436 (m) Boldione;
437 (n) Calusterone ($7\beta,17\alpha$ -dimethyl- 17β -hydroxyandrost-4-en-3-one);
438 (o) Clostebol (4-chloro- 17β -hydroxyandrost-4-en-3-one);
439 (p) Dehydrochloromethyltestosterone (4-chloro- 17β -hydroxy- 17α -methyl-androst-1,
440 4-dien-3-one);
441 (q) Desoxymethyltestosterone;
442 (r) $\Delta 1$ -dihydrotestosterone (a.k.a. '1-testosterone')(17β -hydroxy- 5α -androst-1-en-3-one);
443 (s) 4-dihydrotestosterone (17β -hydroxy-androstan-3-one);
444 (t) Drostanolone (17β -hydroxy- 2α -methyl- 5α -androstan-3-one);
445 (u) Ethylestrenol (17α -ethyl- 17β -hydroxyestr-4-ene);
446 (v) Fluoxymesterone (9-fluoro- 17α -methyl- $11\beta,17\beta$ -dihydroxyandrost-4-en-3-one);
447 (w) Formebolone (2-formyl- 17α -methyl- $11\alpha,17\beta$ -dihydroxyandrost-1,4-dien-3-one);
448 (x) Furazabol (17α -methyl- 17β -hydroxyandrostano[2,3-c]-furazan);
449 (y) 13β -ethyl- 17β -hydroxygon-4-en-3-one;
450 (z) 4-hydroxytestosterone (4, 17β -dihydroxy-androst-4-en-3-one);
451 (aa) 4-hydroxy-19-nortestosterone (4, 17β -dihydroxy-estr-4-en-3-one);
452 (bb) Mestanolone (17α -methyl- 17β -hydroxy- 5α -androstan-3-one);
453 (cc) Mesterolone (1α methyl- 17β -hydroxy- $[5\alpha]$ -androstan-3-one);
454 (dd) Methandienone (17α -methyl- 17β -hydroxyandrost-1,4-dien-3-one);
455 (ee) Methandriol (17α -methyl- $3\beta,17\beta$ -dihydroxyandrost-5-ene);
456 (ff) Methenolone (1-methyl- 17β -hydroxy- 5α -androst-1-en-3-one);
457 (gg) 17α -methyl- $3\beta,17\beta$ -dihydroxy- 5α -androstane);

- 458 (hh) 17α -methyl- $3\alpha,17\beta$ -dihydroxy-5 α -androstane);
- 459 (ii) 17α -methyl- $3\beta,17\beta$ -dihydroxyandrost-4-ene;
- 460 (jj) 17α -methyl-4-hydroxynandrolone (17α -methyl-4-hydroxy- 17β -hydroxyestr-
- 461 4-en-3-one);
- 462 (kk) Methyldienolone (17α -methyl- 17β -hydroxyestra-4,9(10)-dien-3-one);
- 463 (ll) Methyltrienolone (17α -methyl- 17β -hydroxyestra-4,9-11-trien-3-one);
- 464 (mm) Methyltestosterone (17α -methyl- 17β -hydroxyandrost-4-en-3-one);
- 465 (nn) Mibolerone ($7\alpha,17\alpha$ -dimethyl- 17β -hydroxyestr-4-en-3-one);
- 466 (oo) 17α -methyl- Δ 1-dihydrotestosterone (17β -hydroxy- 17α -methyl- 5α -androst-1-en-3-
- 467 one) (a.k.a. ' 17α -methyl-1-testosterone');
- 468 (pp) Nandrolone (17β -hydroxyestr-4-ene-3-one);
- 469 (qq) 19-nor-4-androstenediol ($3\beta,17\beta$ -dihydroxyestr-4-ene);
- 470 (rr) 19-nor-4-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-4-ene);
- 471 (ss) 19-nor-4,9(10)-androstadienedione;
- 472 (tt) 19-nor-5-androstenediol ($3\beta,17\beta$ -dihydroxyestr-5-ene);
- 473 (uu) 19-nor-5-androstenediol ($3\alpha,17\beta$ -dihydroxyestr-5-ene);
- 474 (vv) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- 475 (ww) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 476 (xx) Norbolethone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4-en-3-one);
- 477 (yy) Norclostebol (4-chloro- 17β -hydroxyestr-4-en-3-one);
- 478 (zz) Norethandrolone (17α -ethyl- 17β -hydroxyestr-4-en-3-one);
- 479 (aaa) Normethandrolone (17α -methyl- 17β -hydroxyestr-4-en-3-one);
- 480 (bbb) Oxandrolone (17α -methyl- 17β -hydroxy-2-oxa-[5α]-androstan-3-one);
- 481 (ccc) Oxymesterone (17α -methyl-4,17 β -dihydroxyandrost-4-en-3-one);
- 482 (ddd) Oxymethalone (17α -methyl-2-hydroxymethylene- 17β -hydroxy-
- 483 [5α]-androstan-3-one);
- 484 (eee) Stanazolol (17α -methyl- 17β -hydroxy-[5α]-androst-2-eno[3,2-c]-pyrazole);
- 485 (fff) Stenbolone (17β -hydroxy-2-methyl-[5α]-androst-1-en-3-one);
- 486 (ggg) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
- 487 (hhh) Testosterone (17β -hydroxyandrost-4-en-3-one);
- 488 (iii) Tetrahydrogestrinone ($13\beta,17\alpha$ -diethyl- 17β -hydroxygon-4,9,11-trien-3-one);
- 489 (jjj) Trenbolone (17β -hydroxyestr-4,9,11-trien-3-one);
- 490 (kkk) Any salt, ester, or ether of a drug or substance described or listed in this
- 491 subdivision, except an anabolic steroid which is expressly intended for administration through
- 492 implants to cattle or other nonhuman species and which has been approved by the Secretary of
- 493 Health and Human Services for that administration;

494 (7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a
495 United States Food and Drug Administration approved drug product;

496 (8) The department of health and senior services may except by rule any compound,
497 mixture, or preparation containing any stimulant or depressant substance listed in subdivisions
498 (1) and (2) of this subsection from the application of all or any part of sections 195.010 to
499 195.320 if the compound, mixture, or preparation contains one or more active medicinal
500 ingredients not having a stimulant or depressant effect on the central nervous system, and if the
501 admixtures are included therein in combinations, quantity, proportion, or concentration that
502 vitiate the potential for abuse of the substances which have a stimulant or depressant effect on
503 the central nervous system.

504 7. The department of health and senior services shall place a substance in Schedule IV
505 if it finds that:

506 (1) The substance has a low potential for abuse relative to substances in Schedule III;

507 (2) The substance has currently accepted medical use in treatment in the United States;
508 and

509 (3) Abuse of the substance may lead to limited physical dependence or psychological
510 dependence relative to the substances in Schedule III.

511 8. The controlled substances listed in this subsection are included in Schedule IV:

512 (1) Any material, compound, mixture, or preparation containing any of the following
513 narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
514 as set forth below:

515 (a) Not more than one milligram of difenoxin and not less than twenty-five micrograms
516 of atropine sulfate per dosage unit;

517 (b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-
518 methyl-2-propionoxybutane);

519 (c) Any of the following limited quantities of narcotic drugs or their salts, which shall
520 include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer
521 upon the compound, mixture or preparation valuable medicinal qualities other than those
522 possessed by the narcotic drug alone:

523 a. Not more than two hundred milligrams of codeine per one hundred milliliters or per
524 one hundred grams;

525 b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters
526 or per one hundred grams;

527 c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters
528 or per one hundred grams;

529 (2) Any material, compound, mixture or preparation containing any quantity of the
530 following substances, including their salts, isomers, and salts of isomers whenever the existence
531 of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- 532 (a) Alprazolam;
- 533 (b) Barbitol;
- 534 (c) Bromazepam;
- 535 (d) Camazepam;
- 536 (e) Chloral betaine;
- 537 (f) Chloral hydrate;
- 538 (g) Chlordiazepoxide;
- 539 (h) Clobazam;
- 540 (i) Clonazepam;
- 541 (j) Clorazepate;
- 542 (k) Clotiazepam;
- 543 (l) Cloxazolam;
- 544 (m) Delorazepam;
- 545 (n) Diazepam;
- 546 (o) Dichloralphenazone;
- 547 (p) Estazolam;
- 548 (q) Ethchlorvynol;
- 549 (r) Ethinamate;
- 550 (s) Ethyl loflazepate;
- 551 (t) Fludiazepam;
- 552 (u) Flunitrazepam;
- 553 (v) Flurazepam;
- 554 (w) Fospropofol;
- 555 (x) Halazepam;
- 556 (y) Haloxazolam;
- 557 (z) Ketazolam;
- 558 (aa) Loprazolam;
- 559 (bb) Lorazepam;
- 560 (cc) Lormetazepam;
- 561 (dd) Mebutamate;
- 562 (ee) Medazepam;
- 563 (ff) Meprobamate;
- 564 (gg) Methohexital;

- 565 (hh) Methylphenobarbital (mephobarbital);
566 (ii) Midazolam;
567 (jj) Nimetazepam;
568 (kk) Nitrazepam;
569 (ll) Nordiazepam;
570 (mm) Oxazepam;
571 (nn) Oxazolam;
572 (oo) Paraldehyde;
573 (pp) Petrichloral;
574 (qq) Phenobarbital;
575 (rr) Pinazepam;
576 (ss) Prazepam;
577 (tt) Quazepam;
578 (uu) Temazepam;
579 (vv) Tetrazepam;
580 (ww) Triazolam;
581 (xx) Zaleplon;
582 (yy) Zolpidem;
583 (zz) Zopiclone;
584 (3) Any material, compound, mixture, or preparation which contains any quantity of the
585 following substance including its salts, isomers and salts of isomers whenever the existence of
586 such salts, isomers and salts of isomers is possible: fenfluramine;
587 (4) Any material, compound, mixture or preparation containing any quantity of the
588 following substances having a stimulant effect on the central nervous system, including their
589 salts, isomers and salts of isomers:
590 (a) Cathine ((+)-norpseudoephedrine);
591 (b) Diethylpropion;
592 (c) Fencamfamin;
593 (d) Fenproporex;
594 (e) Mazindol;
595 (f) Mefenorex;
596 (g) Modafinil;
597 (h) Pemoline, including organometallic complexes and chelates thereof;
598 (i) Phentermine;
599 (j) Pipradrol;
600 (k) Sibutramine;

- 601 (1) SPA ((-)-1-dimethylamino-1,2-diphenylethane);
- 602 (5) Any material, compound, mixture or preparation containing any quantity of the
603 following substance, including its salts:
- 604 (a) butorphanol;
- 605 (b) pentazocine;
- 606 (6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance
607 is the only active medicinal ingredient;
- 608 (7) The department of health and senior services may except by rule any compound,
609 mixture, or preparation containing any depressant substance listed in subdivision (1) of this
610 subsection from the application of all or any part of sections 195.010 to 195.320 if the
611 compound, mixture, or preparation contains one or more active medicinal ingredients not having
612 a depressant effect on the central nervous system, and if the admixtures are included therein in
613 combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the
614 substances which have a depressant effect on the central nervous system.
- 615 9. The department of health and senior services shall place a substance in Schedule V
616 if it finds that:
- 617 (1) The substance has low potential for abuse relative to the controlled substances listed
618 in Schedule IV;
- 619 (2) The substance has currently accepted medical use in treatment in the United States;
620 and
- 621 (3) The substance has limited physical dependence or psychological dependence liability
622 relative to the controlled substances listed in Schedule IV.
- 623 10. The controlled substances listed in this subsection are included in Schedule V:
- 624 (1) Any compound, mixture or preparation containing any of the following narcotic
625 drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set
626 forth below, which also contains one or more nonnarcotic active medicinal ingredients in
627 sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal
628 qualities other than those possessed by the narcotic drug alone:
- 629 (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than
630 twenty-five micrograms of atropine sulfate per dosage unit;
- 631 (b) Not more than one hundred milligrams of opium per one hundred milliliters or per
632 one hundred grams;
- 633 (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five
634 micrograms of atropine sulfate per dosage unit;

635 (2) Any material, compound, mixture or preparation which contains any quantity of the
636 following substance having a stimulant effect on the central nervous system including its salts,
637 isomers and salts of isomers: pyrovalerone;

638 (3) Any compound, mixture, or preparation containing any detectable quantity of
639 pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound,
640 mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical
641 isomers, or salts of optical isomers;

642 (4) Unless specifically exempted or excluded or unless listed in another schedule, any
643 material, compound, mixture, or preparation which contains any quantity of the following
644 substances having a depressant effect on the central nervous system, including its salts:

645 (a) Lacosamide;

646 (b) Pregabalin.

647 11. If any compound, mixture, or preparation as specified in subdivision (3) of
648 subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a
649 prescription:

650 (1) All packages of any compound, mixture, or preparation containing any detectable
651 quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine,
652 its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind
653 a pharmacy counter where the public is not permitted, and only by a registered pharmacist or
654 registered pharmacy technician; and

655 (2) Any person purchasing, receiving or otherwise acquiring any compound, mixture,
656 or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers,
657 or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers
658 shall be at least eighteen years of age; and

659 (3) The pharmacist, intern pharmacist, or registered pharmacy technician shall require
660 any person, prior to [their] **such person's** purchasing, receiving or otherwise acquiring such
661 compound, mixture, or preparation to furnish suitable photo identification that is issued by a state
662 or the federal government or a document that, with respect to identification, is considered
663 acceptable and showing the date of birth of the person;

664 (4) The seller shall deliver the product directly into the custody of the purchaser.

665 12. Pharmacists, intern pharmacists, and registered pharmacy technicians shall
666 implement and maintain an electronic log of each transaction. Such log shall include the
667 following information:

668 (1) The name, address, and signature of the purchaser;

669 (2) The amount of the compound, mixture, or preparation purchased;

670 (3) The date and time of each purchase; and

671 (4) The name or initials of the pharmacist, intern pharmacist, or registered pharmacy
672 technician who dispensed the compound, mixture, or preparation to the purchaser.

673 13. Each pharmacy shall submit information regarding sales of any compound, mixture,
674 or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with
675 transmission methods and frequency established by the department by regulation;

676 14. No person shall dispense, sell, purchase, receive, or otherwise acquire quantities
677 greater than those specified in this chapter.

678 15. All persons who dispense or offer for sale pseudoephedrine and ephedrine products
679 in a pharmacy shall ensure that all such products are located only behind a pharmacy counter
680 where the public is not permitted.

681 16. Any person who knowingly or recklessly violates the provisions of subsections 11
682 to 15 of this section is guilty of a class A misdemeanor.

683 17. The scheduling of substances specified in subdivision (3) of subsection 10 of this
684 section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds,
685 mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound,
686 mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must
687 be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

688 18. The manufacturer of a drug product or another interested party may apply with the
689 department of health and senior services for an exemption from this section. The department of
690 health and senior services may grant an exemption by rule from this section if the department
691 finds the drug product is not used in the illegal manufacture of methamphetamine or other
692 controlled or dangerous substances. The department of health and senior services shall rely on
693 reports from law enforcement and law enforcement evidentiary laboratories in determining if the
694 proposed product can be used to manufacture illicit controlled substances.

695 19. The department of health and senior services shall revise and republish the schedules
696 annually.

697 20. The department of health and senior services shall promulgate rules under chapter
698 536 regarding the security and storage of Schedule V controlled substances, as described in
699 subdivision (3) of subsection 10 of this section, for distributors as registered by the department
700 of health and senior services.

701 21. Logs of transactions required to be kept and maintained by this section and section
702 195.417 shall create a rebuttable presumption that the person whose name appears in the logs is
703 the person whose transactions are recorded in the logs.

195.202. 1. Except as authorized by sections 195.005 to 195.425, it is unlawful for any
2 person to possess or have under his control a controlled substance.

3 2. Any person who violates this section with respect to any controlled substance except
4 thirty-five grams or less of marijuana or any synthetic cannabinoid is guilty of a class C felony.

5 3. Any person who violates this section with respect to not more than thirty-five grams
6 of marijuana or any synthetic cannabinoid is guilty of a class A misdemeanor.

7 **4. (1) In any case where the defendant claims that the substance possessed was**
8 **industrial hemp and not a controlled substance, the burden of proof shall be on the**
9 **defendant to prove that the substance was industrial hemp and not a controlled substance.**

10 **(2) Notwithstanding any other provision of this chapter, it shall be legal for any**
11 **person who has not been convicted of any felony offense or any misdemeanor drug related**
12 **offense to grow and cultivate industrial hemp as defined in section 195.010.**

195.600. For the purposes of sections 195.600 to 195.606, the following terms shall
2 **mean:**

3 **(1) "Agricultural hemp seed", cannabis sativa seed that meets any labeling, quality**
4 **or other standards set by the department of agriculture and that is intended for sale, is sold**
5 **to, or is purchased by licensed growers for planting;**

6 **(2) "Crop", any contiguous field of industrial hemp grown under a single license;**

7 **(3) "Department", the Missouri department of agriculture;**

8 **(4) "Grower", a person, joint venture, or cooperative that produces industrial**
9 **hemp;**

10 **(5) "Handler", a person, joint venture, or cooperative that receives industrial hemp**
11 **for processing into commodities, products, or agricultural hemp seed;**

12 **(6) "Industrial hemp", the same as such term is defined in section 195.010;**

13 **(7) "Industrial hemp plant monitoring system", an electronic seed-to-sale tracking**
14 **system that includes, but is not limited to, testing and data collection established and**
15 **maintained by a grower or handler and available to the department for purposes of**
16 **documenting and for monitoring agricultural hemp seed and industrial hemp plant**
17 **development throughout the life cycle of an industrial hemp plant cultivated as an**
18 **agricultural product from seed planting to final packaging.**

195.603. 1. Industrial hemp production, possession, and commerce in industrial
2 **hemp commodities and products shall be permitted in this state.**

3 **2. Industrial hemp shall be an agricultural product that is subject to regulation by**
4 **the department of agriculture, including compliance with an industrial hemp plant**
5 **monitoring system. Any grower and handler of industrial hemp shall obtain a license from**
6 **the department. Growers and handlers engaged in the production of agricultural hemp**
7 **seed also shall have an agricultural hemp seed production permit.**

- 8 **3. An application for an industrial hemp license or agricultural hemp seed**
9 **production permit shall include:**
- 10 **(1) The name and address of the applicant;**
11 **(2) The name and address of the industrial hemp operation of the applicant;**
12 **(3) The global positioning system coordinates and legal description for the property**
13 **used for the industrial hemp;**
14 **(4) If the industrial hemp license or agricultural hemp seed production permit**
15 **application is by the grower, information sufficient to establish that the industrial hemp**
16 **crop of the applicant will be at least two and one-half acres in size; and**
17 **(5) The application fee, as determined by the department, in an amount sufficient**
18 **to cover the administrative costs of processing license and permit applications; and**
19 **(6) Any other information required by the department.**
- 20 **4. The department shall issue a license or permit under this section upon**
21 **satisfactory completion of a fingerprint criminal history background check. The**
22 **department may charge applicants a fee for the cost of the fingerprint criminal history**
23 **background check. A license or permit shall not be issued to a person who has a suspended**
24 **imposition or execution of sentence in the five years immediately preceding the application**
25 **date for a conviction of a felony or a person who at any time has been convicted of a felony**
26 **under any state or federal law regarding the possession, distribution, manufacturing,**
27 **cultivation, or use of a controlled substance; except that, the department may grant a**
28 **license or permit if the person has a state felony conviction based on possession or use of**
29 **a controlled substance that would not be a felony if the person were convicted of the**
30 **offense on the date he or she applied for a license or permit.**
- 31 **5. Upon issuance of a license or permit, information regarding all license and**
32 **permit holders shall be forwarded to the state highway patrol.**
- 33 **6. An industrial hemp license or agricultural hemp seed production permit is**
34 **nontransferable and valid for a three-year term unless revoked by the department and may**
35 **be renewed as determined by the department.**
- 36 **7. An agricultural hemp seed production permit authorizes a grower or handler to**
37 **produce and handle agricultural hemp seed for sale to licensed industrial hemp growers**
38 **and handlers. The department shall make information that identifies sellers of agricultural**
39 **hemp seed available to growers, and any seller of agricultural hemp seed shall ensure that**
40 **the seed complies with any standards established by the department.**
- 41 **8. A grower may retain seed from each industrial hemp crop to ensure a sufficient**
42 **supply of seed for that grower for the following year. A grower shall not be required to**
43 **obtain an agricultural hemp seed production permit in order to retain seed for future**

44 **planting. Any seed retained by a grower for future planting shall not be sold or**
45 **transferred and does not have to meet agricultural hemp seed standards established by the**
46 **department.**

47 **9. Every grower or handler shall be subject to an industrial hemp plant monitoring**
48 **system and shall keep industrial hemp crop and agricultural hemp seed records as**
49 **required by the department. Upon three days' notice, the department may require an**
50 **inspection or audit during any normal business hours for the purpose of ensuring**
51 **compliance with:**

52 **(1) Any provision of this chapter;**

53 **(2) Department rules and regulations;**

54 **(3) Industrial hemp license or agricultural hemp seed production permit**
55 **requirements, terms, or conditions;**

56 **(4) Any industrial hemp plant monitoring system; or**

57 **(5) A final department order directed to the grower's or handler's industrial hemp**
58 **operations or activities.**

59 **10. In addition to any inspection conducted under subsection 9 of this section, the**
60 **department may inspect any industrial hemp crop during the crop's growth phase and take**
61 **a representative composite sample for field analysis. If a crop contains an average**
62 **tetrahydrocannabinol concentration exceeding three-tenths of one percent on a dry weight**
63 **basis, the department may detain, seize, or embargo the crop.**

64 **11. The department may charge growers and handlers reasonable fees as**
65 **determined by the department for the purpose of carrying out the duties of the department**
66 **under sections 195.600 to 195.606. All fees collected under sections 195.600 to 195.606 shall**
67 **be deposited in a dedicated fund for use by the department to carry out the duties of the**
68 **department under sections 195.600 to 195.606.**

69 **12. The department of agriculture may promulgate rules necessary to administer**
70 **the provisions of sections 195.600 to 195.606. Any rule or portion of a rule, as that term**
71 **is defined in section 536.010, that is created under the authority delegated in this section**
72 **shall become effective only if it complies with and is subject to all of the provisions of**
73 **chapter 536 and, if applicable, section 536.028. Sections 195.600 to 195.606 and chapter**
74 **536 are nonseverable, and if any of the powers vested with the general assembly under**
75 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
76 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
77 **proposed or adopted after August 28, 2015, shall be invalid and void.**

195.606. 1. The department of agriculture may revoke or refuse to issue or renew
2 **an industrial hemp license or agricultural hemp seed production permit and may impose**

3 a civil penalty of not less than two thousand five hundred dollars or more than fifty
4 thousand dollars for violation of:

5 (1) A license or permit requirement;

6 (2) License or permit terms or conditions;

7 (3) Department rules relating to growing or handling industrial hemp;

8 (4) Any industrial hemp plant monitoring system; or

9 (5) A final order of the department that is specifically directed to the grower's or
10 handler's industrial hemp operations or activities.

11 2. In addition, the department may revoke or refuse to issue or renew an industrial
12 hemp license or an agricultural hemp seed production permit for violation of any rule of
13 the department that pertains to agricultural operations or activities other than industrial
14 hemp growing or handling.

579.015. 1. A person commits the offense of possession of a controlled substance if he
2 or she knowingly possesses a controlled substance, except as authorized by this chapter or
3 chapter 195.

4 2. The offense of possession of any controlled substance except thirty-five grams or less
5 of marijuana or any synthetic cannabinoid is a class D felony.

6 3. The offense of possession of more than ten grams but less than thirty-six grams of
7 marijuana or any synthetic cannabinoid is a class A misdemeanor.

8 4. The offense of possession of not more than ten grams of marijuana or any synthetic
9 cannabinoid is a class D misdemeanor. If the defendant has previously been found guilty of any
10 offense of the laws related to controlled substances of this state, or of the United States, or any
11 state, territory, or district, the offense is a class A misdemeanor. Prior findings of guilt shall be
12 pleaded and proven in the same manner as required by section 558.021.

13 5. In any complaint, information, or indictment, and in any action or proceeding brought
14 for the enforcement of any provision of this chapter or chapter 195, it shall not be necessary to
15 include any exception, excuse, proviso, or exemption contained in this chapter or chapter 195,
16 and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the
17 defendant.

18 6. (1) In any case where the defendant claims that the substance possessed was
19 industrial hemp and not a controlled substance, the burden of proof shall be on the
20 defendant to prove that the substance was industrial hemp and not a controlled substance.

21 (2) Notwithstanding any other provision of this chapter or chapter 195, it shall be
22 legal for any person who has not been convicted of any felony offense or any misdemeanor
23 drug-related offense to grow and cultivate industrial hemp as defined in section 195.010.

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